

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF

SEPTEMBER 17, 1999

(Published September 25, 1999,
in Finance and Commerce)

Council Chamber

Minneapolis, Minnesota

September 17, 1999 - 9:30 a.m.

President Cherryhomes in the Chair.

Present - Council Members Goodman, Colvin
Roy, Mead, Lane, McDonald, Johnson, Thurber,
Ostrow, Campbell, President Cherryhomes.

Absent - Biernat, Niland, Herron.

Campbell moved acceptance of the minutes
of the regular meeting of August 27 and the
adjourned session held September 7, 1999.
Seconded.

Adopted upon a voice vote.

Campbell moved referral of petitions and
communications and reports of the City officers to
proper Council committees and departments.
Seconded.

Adopted upon a voice vote.

PETITIONS AND COMMUNICATIONS

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (265152)

People, Inc Project: Resolution authorizing
issuance of tax-exempt revenue bonds by the
City of Taylors Falls for health care facilities in
Mpls, St Paul & Taylors Falls & authorizing a joint
powers agreement.

Creamette Project: Approve easement
agreement for storm sewer through Outlot D,
Sawmill Run Third.

Symphony Place Project (1117 Marquette
Ave): Resolution authorizing execution of
assumption agreement to transfer Symphony
Place to Oakwood Mpls LLC, & transfer
assumption of obligations under the loan
agreement & related documents.

Phillips Neighborhood Early Learning Center
(2430-18th Ave S): Appropriation increase for
installation of telephone system & opening of
NELC.

COORDINATOR (265153)

Year 2000 Livable Communities Act Local
Housing Incentive Program: Resolution electing
to continue participating in program & commitment
to spend local funds to produce affordable & life
cycle housing.

PLANNING COMMISSION/DEPARTMENT
(265154)

Calhoun Area Residents Action Group:
Authorize contract with Hoisington Koegler Group/
Benshoof & Associates/Hagen Christensen &
McIlwain Architects to develop CARAG
neighborhood Master Plan.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET:

COUNCIL MEMBER LANE (265155)

Council Votes: Direction to staff to study the
issue of simple majority vote vs super-majority
vote for land conveyances.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET (See Rep):

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (265156)

River Terminal: Authorize establishment of
special revenue fund for net proceeds of operation
of River Terminal; Adoption of Guidelines for
Upper River Land Bank Fund.

NEIGHBORHOOD REVITALIZATION
PROGRAM (NRP) (265157)

Hawthorne Neighborhood: Approval of NRP
Action Plan. Kingfield Neighborhood: Approval of
NRP Action Plan.

HEALTH AND HUMAN SERVICES:

HEALTH AND FAMILY SUPPORT SERVICES (265158)

School Health Initiatives: Update report.

HEALTH AND HUMAN SERVICES (See Rep):

HEALTH AND FAMILY SUPPORT SERVICES (265159)

Mona Moede - Neighborhood Early Learning Center: Issue Fund Availability Notice to Minneapolis Public Schools for transportation and other programmatic support for August and September 1999.

Yellow Brick Road Project: Amend Fund Availability Notice with Project for Pride in Living to extend contract period through December 31, 1999.

Community Agencies: Execute master contracts with Children's Dental Services; Children's Health Care Inc; Greater Minneapolis Council of Churches; Hennepin Faculty Associates; Metropolitan Visiting Nurse Association; Minneapolis Youth Diversion Program; Minnesota Indian Women's Resource Center; Neighborhood Health Care Network; Neighborhood Involvement Program; Planned Parenthood of Minnesota & South Dakota; Plymouth Christian Youth Center; Regents of the University of Minnesota; Ramsey County; Southside Community Health Services; and Youth Trust.

HEALTH AND FAMILY SUPPORT SERVICES (265160)

Project for Pride in Living - Train to Work Program: Amend Fund Availability Notice to extend time of performance and increase contract amount to provide training and job placement for 10 additional clients.

Standish-Ericsson Youth Projects: Issue Fund Availability Notice to YMCA of Minneapolis to implement the Camp and School Release/Holiday Adventure Projects.

Consulting Services: Increase contract with Kathleen Amble and extend performance period through December 31, 1999 for services related to the school health initiatives, Welcome Center, and nurse practitioner services for the School Based Clinic Program.

Medical Services provided through Pilot City: Execute amendment to contract with Hennepin County for physician, nursing and health education services provided during August and September 1999.

HEALTH AND HUMAN SERVICES and WAYS & MEANS/BUDGET:

CIVIL RIGHTS (265161)

Small and Underutilized Business Enterprise Program: Report detailing human and financial resources required for program, to be included in the Year 2000 budget process.

HEALTH AND HUMAN SERVICES and

WAYS & MEANS/BUDGET (See Rep):

HEALTH AND FAMILY SUPPORT SERVICES (265162)

Healthy Start Initiative Phase II - Eliminating Racial/Ethnic Disparities in Perinatal Health: Accept grant award from United States Department of Health & Human Services to target disparities in the African American and American Indian communities during 1999 - 2000; Appropriate grant funds to Health Department; and Approve additional 3.0 full-time equivalent positions to coordinate project.

Welcome Center: Accept grant award from Children's Defense Fund to enhance health care access and other support services; Appropriate grant funds to Health Department; Approve additional 1.5 full-time equivalent outreach worker positions; and Issue Fund Availability Notice to Minneapolis Public Schools to fund social worker position.

INTERGOVERNMENTAL RELATIONS:

CHARTER COMMISSION (265163)

Charter: Letter of Transmittal dated June 9, 1999 recommending passage by unanimous vote of Council of proposed amendment to Chapter 1, Section 3 of the Charter relating to City and Ward Boundaries, changing title of "Reapportionment Commission" to "Redistricting Commission" and changing method of nominating & choosing members.

LIAISON/FEDERAL, LOCAL AND STATE (265164)

Federal Budget Update.

PUBLIC EMPLOYEES RETIREMENT ASSOCIATION (265165)

Pension Fund: Summary of status.

MPLS POLICE RELIEF ASSOCIATION (265166)

Pension Fund report & fact sheet as of December 31, 1998.

MPLS TEACHERS RETIREMENT FUND ASSN (265167)

Pension Fund: Annual Report for Fiscal Year ending June 30, 1998.

INTERGOVERNMENTAL RELATIONS

(See Rep):

ATTORNEY (265168)

Charter: Recommend amend Chapter 8, Section 13 of Charter relating to Public Highways & Bridges, providing for Sidewalk Repairs w/attached opinion of Minnesota Supreme Court re Ronald Wiederholt vs City & Donald Hawkinson.

CHARTER COMMISSION (265169)

Charter: Charter Commission: Letter of transmittal dated August 25, 1999 recommending that proposed amendment (No 148) to Chapter 1, Section 3 of the Charter relating to City and Ward Boundaries, changing title of "Reapportionment Commission" to "Redistricting Commission" and changing method of nominating and choosing members, be submitted to qualified voters. City Attorney: Proposed ballot language.

COORDINATOR (265170)

New Central Library Project: Direct staff prepare 1999/2000 work plan & schedule, & authorize submit request for state bonding for Year 2000, w/attached cost estimates & funding options.

COORDINATOR-GRANTS & SPECIAL PROJECTS (265171)

Empowerment Zone: Authorize submit request for state bonding for Great Lake Center, Northside Redevelopment Project, & Job Creation Area-SEMI.

PUBLIC SAFETY AND REGULATORY

SERVICES (See Rep):

INSPECTIONS DEPARTMENT (265172)

Raze: 3248 N 6th St; and 3415 Fremont Ave N. Emergency Demolition at 247 Cedar Ave: Approve payment to Land Recycling Services for costs associated with demolition of building.

LICENSES AND CONSUMER SERVICES (265173)

Licenses: Applications.

POLICE DEPARTMENT (265173.1)

Drug Enforcement Agency Task Force: Execute amendment to contract with Drug Enforcement Agency to provide one police officer to task force during October 1, 1999 to September 30, 2000 to suppress drug trafficking in the Minneapolis/St Paul area.

PUBLIC SAFETY AND REGULATORY

SERVICES and WAYS & MEANS/BUDGET

(See Rep):

FIRE DEPARTMENT (265174)

Federal Emergency Management Agency/

State and Local Assistance: Accept grant award of \$25,233, and appropriate grant funds.

INSPECTIONS DEPARTMENT (265175)

Building Information and Inspections System Project: Amend contract with KIVA for software maintenance services and implementation of BIIS project; and Extend contract performance period from August 1, 1999 until such time as project is completed.

POLICE DEPARTMENT (265176)

Sex Offender Notification Law: Submit grant application to Minnesota Department of Public Safety seeking Community Notification Reimbursement Grant funds to reimburse expenditures incurred as a result of conducting Level 2 and 3 sex offender notification flyer distribution meetings.

Detail of Personnel to Department of Corrections: Authorize loan Sgt Cari Gerlicher to Department of Corrections to serve as Director of the Office of Special Investigations for 12-month period.

Community Oriented Policing: Submit grant application to Minnesota Department of Public Safety seeking funds for officer overtime costs for provision of police services in high crime areas.

Hennepin County First Response Team: Execute five-year, rent-free lease agreement with Hennepin County to house Team at Fourth Police Precinct, with County paying renovation fees for office expansion and construction of new roll call room.

Peace Officers Standards and Training Board Educational Opportunities Program: Accept \$69,100 award as recognition of Police Department efforts to bring greater diversity to profession.

TRANSPORTATION AND PUBLIC WORKS:

PLANNING DEPARTMENT/PUBLIC WORKS (265177)

Light Rail Transit: Draft preliminary design plans for the Hiawatha Corridor.

PUBLIC WORKS AND ENGINEERING (265178)

Award for Peavey Plaza: American Society of Landscape Architects Centennial Medallion award.

Routine Maintenance Agreement with Hennepin County: Report on proposal to expand scope of services provided by Hennepin County for their routes in Minneapolis.

TRANSPORTATION AND PUBLIC WORKS

(See Rep):

PUBLIC WORKS AND ENGINEERING

(265179)

Boulevard Paving: Approve request of Tom Ritzer, University of Minnesota Facilities Management, to pave area at northeast quadrant of Washington Ave S & 19th Ave S.

Impound Towing Services: Amend previous bid acceptances to remove bid of Shorty's Heavy Duty Wrecker Service, Inc. for Zone 6 and accept bid of Chief's Towing, Inc.

Municipal Parking System Operation Contract: Extend current contract with Municipal Parking, Inc.

Alley Paving Project (block bounded by Washington Ave N & 3rd St from 5th to 6th Aves N): Designation of project, cost estimate, list of benefited properties & assessment rate.

Sewer Tunneling: Increase contract with Hobas Pipe, Inc. for purchase of jacking pipe.

Regional 800 MHZ Radio System: Modify contract with Ronald Vegamast Engineering.

Lyn-Lake Municipal Parking Lots: Establish assessment proceedings and impact fees.

Public Works Budget: Report on service reductions & request for direction on addressing snow & ice removal projected budget shortfall.

PURCHASING (265184)

Bids: Accept: a) OP #5206, low bid of Meridian Aggregates for fine aggregates for bituminous sealcoat through May 31, 2000; b) OP #5198, low bid of EnviroBate Metro for equipment & incidentals to accomplish asbestos and hazardous removal services; c) OP #5222, accept only bid of Don Harstad Company, Inc. for upgrade to the software and firmware for the Municipal Parking Ramp system; d) OP #5217, accept only bid of L.S. Black Constructors, Inc. for landscaping and site improvements at 43rd St & Upton Av S.

SOLID WASTE AND RECYCLING DIVISION (265185)

Utility Bill Insert: Include flyer promoting America Recycles Day.

**TRANSPORTATION AND PUBLIC WORKS and
WAYS & MEANS/BUDGET:**

ATTORNEY (265180)

Lawsuit: Successful conclusion in the suit of Gary Wennerlyn.

ESTIMATE AND TAXATION (265181)

Department of Public Works - Special Assessments - Special Review.

WAYS AND MEANS BUDGET:

CONVENTION CENTER (265186)

Convention Center Expansion Project: Receive & File Change Management Actions.

ESTIMATE AND TAXATION (265187)

Internal Audit Report: Department of Public Works - Special Assessment Unit.

**TRANSPORTATION AND PUBLIC WORKS and
WAYS & MEANS/BUDGET (See Rep):**

PUBLIC WORKS & GRANTS & SPECIAL PROJECTS (265182)

Transportation Equity Act for the 21st Century (TEA-21) Funding Applications: Submit to Metropolitan Council for various City projects.

PUBLIC WORKS AND ENGINEERING (265183)

Transportation Equity Act for the 21st Century (TEA-21) Funding Applications: Submission of applications to the Minnesota Department of Transportation for bridge projects; Amend City's five-year bridge replacement plan.

Van White Circle Project: Funding plan for street construction project.

Easement for 43rd St W and Upton Ave S Revitalization Project: Accept easement from S&D Land Holdings, Inc.

Lyn-Lake Municipal Parking Lots: Grant agreement with MCDA to receive CEDF funding.

WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (265188)

Theft of Bank Deposits: Accept \$5,000 bond payment from Hartford Fidelity Bonding Company & Execute release to Hartford.

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (265189)

Guthrie Theater Expansion: Staff direction & framework for expansion, including land exchange with Minneapolis Park & Recreation Board.

COORDINATOR (265190)

Near Northside Redevelopment Project: Appropriate an additional \$141,500.

Phillips Federal Weed & Seed Funds: Execute Memorandum of Understanding w/Mpls Park & Recreation Board and award funds for continuation of security detail at Peavey Park.

Urban Village Project: Submit grant application to MN Department of Trade & Economic Development. Urban Village Project: Submit grant application to Metropolitan Council.

HEALTH AND FAMILY SUPPORT SERVICES (265191)

Graffiti Removal Services: Transfer Community Resource Program Year 10 funds for continuation of services.

HUMAN RESOURCES (265192)

Manager, Safety Programs: Salary Ordinance. Deputy Director, Planning: Salary Ordinance. General Foreman, Electrician: Salary Ordinance. Foreman, Bricklayer (Temporary): Salary Ordinance, amending Ordinance #99-Or-090. Electrician (Apprentice): Salary Ordinance, amending Ordinance #99-Or-091.

INFORMATION AND TECHNOLOGY SERVICES (ITS) (265193)

Technical Adjustments to 1998 and 1999 SIS Projects: Approve adjustments.

Master Contracts for ITS Vendors: Authorize increases for CSC Consulting, Inc; Keane, Inc; Management System Solutions, Inc.

Geographic Information System 2000 Program, Phase II (Enterprise Deployment): Approve releasing balance of funds allocated for program & approve expenditure of funds.

POLICE DEPARTMENT (265194)

State Grant: Submit grant application to State for equipment to improve identification efficiency in the Police Department.

ZONING AND PLANNING (See Rep):

INSPECTIONS/BOARD OF ADJUSTMENT (265195)

Overcomers Ministries, 1911 - 11th Ave S: Grant appeal for nonconforming use certificate to permit 9-unit apartment building, w/attached maps, excerpts from Cole & Polk Directories.

PLANNING COMMISSION/DEPARTMENT (265196)

Affinity Plus Federal Credit Union, 2516-2520 University Ave SE: Pass ordinance rezoning from B3-2 to B3S-1 to allow drive-thru facility, w/attached findings, maps.

CSM Hospitality, Inc, 501 N 2nd St: Pass ordinance rezoning from M2-4 to B3-3 to allow planned business development, w/attached findings, maps, Warehouse Riverfront District Development Framework, Travel Demand Management Plan.

Lowry Ridge Townhomes, 223-231 Groveland Ave: Pass resolution vacating easement, w/attached findings, maps.

Ryan Companies US Inc: Pass resolution vacating easement in vicinity of Arthur St NE & 18th Ave NE to clear title for Quarry development.

Roger Benson, 4840 6th St N: Pass resolution vacating alley in block bounded by 48th & 49th Aves N, 6th St N & Lyndale Ave N, to permit driveway, w/attached findings, maps Summary of Planning Comsn actions of 8/23/99.

Zoning Board of Adjustment: Appoint Lonnie Nichols & David Fields.

PLANNING COMMISSION/DEPARTMENT (265197)

Conditional Use Process: Direct staff initiate process to remove Park Board from 98-Or-032 requiring Park Board to get conditional uses in residential zoning districts; Grant CUP waivers for Central Park, Loring Art Center, North Mississippi Park, Nokomis, Mill Ruins Park & Bridge Park.

PLANNING COMMISSION:

OSCAR AUTO BODY INC (265198)

Permission to vacate alley behind 2827 1st Ave S.

FILED:

CITY CLERK/SPECIAL PERMITS (265199)

3rd St N, 3011 (David Ginsberg) move garage; 26th Av NE, 802 (David Grider) move garage; 41st St & Minnehaha Pkwy (Bobbi Goodwin) ponies; Lake St E, 1515 (Mercardo Central) Latin American Independence Days celebration; Lake St E, 2905 (Universal Signs Inc) sign; Lyndale Ave S, 2225 (Gina Vermilyea) parking lot sale; McKinley Pl NE, 614 (Hillcrest Development) sign; Oak Grove St, 519 (Johmar Farms) horse & carriage.

FINANCE DEPARTMENT (265200)

Investment Management System & Reconciliation Report thru June 30, 1999.

FINANCE DEPARTMENT (265201)

Investment Management System & Reconciliation Report thru July 31, 1999.

MINNESOTA STATE OFFICES (265202)

Park & Recreation Board management & compliance report for year ended December 31, 1998.

NORTHERN STATES POWER (NSP) (265203)

Utilities: Authorize place poles at various locations.

PARK BOARD (265204)

Component Unit Annual Financial Report for yr ending December 31, 1998.

REPORTS OF
STANDING COMMITTEES

The **COMMUNITY DEVELOPMENT** Committee submitted the following reports:

Comm Dev - Your Committee, having under consideration the matter of consenting to the issuance of tax-exempt revenue bonds by the City of Taylors Falls on behalf of People, Incorporated, a non-profit organization which provides programs and facilities for persons with mental illness and other disabilities, to refinance debt on ten of their health care facilities, finance improvements and the purchase of furniture and equipment for various facilities located in Minneapolis, St. Paul and Taylors Falls, now recommends passage of the accompanying resolution giving approval to the issuance of tax-exempt revenue bonds by the City of Taylors Falls for a project by People, Incorporated, and the authorization to enter into a Joint Powers Agreement on behalf of the City of Minneapolis, as set forth in Petn No 265152.

Your Committee further recommends summary publication of the above-described resolution.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 99R-313, giving approval to a project by People, Incorporated under Minnesota Statutes, Sections 469.152 through 469.165 for issuance of bonds by the City of Taylors Falls for various health care facilities in Minneapolis, St. Paul and Taylors Falls; referring the proposal to the Minnesota Department of Trade and Economic Development for approval; and approving a Joint Powers Agreement on behalf of the City of Minneapolis, was passed September 17, 1999 by the City Council and approved September 23, 1999 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 99R-313
By Niland

Giving approval to a project by People, Incorporated under Minnesota Statutes, Sections 469.152 through 469.165; referring the proposal to the Minnesota Department of Trade and Economic Development for approval; and approving a Joint Powers Agreement.

Resolved by the City Council of the City of Minneapolis:

Section 1. General Recitals.

a. The purpose of Minnesota Statutes, Sections 469.152 through 469.165 as amended, relating to municipal industrial development (the "Act"), as found and determined by the legislature, is to promote the welfare of the State of Minnesota (the "State") by the active promotion, attraction, encouragement and development of economically sound industry and commerce through governmental action to prevent, so far as possible, the emergence of blighted and marginal lands and areas of chronic unemployment.

b. Factors necessitating the active promotion and development of economically sound industry and commerce are the increasing concentration of population in the metropolitan areas and the rapidly rising increase in the amount and cost of governmental services required to meet the needs of the increased population and the need for development of land uses which will provide an adequate tax base to finance these increased costs and access to employment opportunities for such population.

Section 2. Description of the Project.

a. People Incorporated, a Minnesota nonprofit corporation and organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Corporation") has proposed the issuance of revenue obligations under the Act, in one or more series, in an amount not to exceed \$2,000,000 (the "Obligations") to finance the costs of a project fully described in the Project Description of (the "Project"), a portion of which is located in the City, as described in the public hearing notice.

b. The Project will be owned and/or operated by the Corporation.

c. As more fully described in the Project Description, portions of the Project are located in the City, the City of Taylors Falls (the "Issuer"), and the City of Saint Paul, Minnesota (the "Host City").

Section 3. Recitals Relating to Joint Exercise of Powers.

a. Under the Act, the City, the Issuer and the Host City are each authorized and empowered to issue revenue bonds or a revenue note to finance or refinance all or any part of the costs of a project consisting of the refinancing of debt incurred with respect to, or acquisition and betterment of, health care facilities or facilities of organizations described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code") and to refund bonds previously issued under the Act.

b. The Corporation has requested that the City, the Issuer, and the Host City cooperate (as permitted by Minnesota Statutes, Section 471.59) through a joint powers agreement in authorizing the financing of the Project through the issuance of the Obligations by the Issuer pursuant to the Act.

c. A draft copy of the Joint Powers Agreement among the City, the Issuer and the Host City (the "Joint Powers Agreement") has been submitted to the Council and is on file in the offices of the Minneapolis Community Development Agency.

Section 4. Recital of Representations Made by the Corporation.

a. The City has been advised by representatives of the Corporation that: (i) conventional financing is available only on a limited basis and at such high costs of borrowing that the economic feasibility of operating the Project would be significantly reduced; (ii) on the basis of information submitted to the Corporation and their discussions with representatives of area financial institutions and potential buyers of tax-exempt bonds, the Obligations could be issued and sold upon favorable rates and terms to finance the Project; (iii) the Corporation will experience a significant debt service cost savings as a result of the Project; and (iv) the Project would not be undertaken but for the availability of financing under the Act.

b. The Corporation has agreed to pay any and all costs incurred by the City in connection with the issuance of the Obligations, whether or not such issuance is carried to completion.

c. The Corporation has represented to the City that no public official of the City has either a direct or indirect financial interest in the Project nor will any public official either directly or indirectly benefit financially from the Project.

Section 5. Public Hearing.

a. As required by the Act and Section 147(f) of the Code a Notice of Public Hearing was published in *Finance & Commerce*, the City's official newspaper, and the *Minneapolis Star Tribune*, a newspaper of general circulation, calling a public hearing on the proposed issuance of the Obligations and the proposal to undertake and finance the Project.

b. As required by the Act and Section 147(f) of the Code:

i. the Issuer has held or will hold a public hearing on the issuance of the Obligations and the proposal to undertake and finance the Project;

ii. the Host City has held or will hold a public hearing on the issuance of the Obligations and the proposal to undertake and finance the portion of the Project located within the jurisdictional limits of the Host City; and

iii. the Community Development Committee of this Council has on September 7, 1999, held a public hearing on the issuance of the Obligations and the proposal to undertake and finance the portion of the Project located within the jurisdictional limits of the City, at which all those appearing who desired to speak were heard and written comments were accepted.

Section 6. Findings.

It is hereby found, determined, and declared as follows:

a. The welfare of the State and the City requires the provision of necessary health care facilities so that adequate health care services are available to residents of the State and the City at reasonable cost.

b. The City desires to facilitate the selective development of the community, retain and improve the tax base and help to provide the range of services and employment opportunities required by the population. The portion of the Project located in the City will assist the City in achieving those objectives; help to stabilize market valuation of the City; help maintain a positive relationship between assessed valuation and debt; and enhance the image and reputation of the community.

c. On the basis of information made available to this Council by the Corporation it appears, and this Council hereby finds, that: (1) the Project constitutes properties, real and personal, used or useful in connection with a revenue producing enterprise engaged in providing health care

services within the meaning of Subdivision 2(d) of Section 469.153 of the Act; (2) the Project furthers the purposes stated in Section 469.152 of the Act; (3) the Project would not be undertaken but for the availability of financing under the Act and the willingness of the Issuer to furnish such financing; and (4) the effect of the Project, if undertaken, will be to: (i) encourage the development of economically sound industry and commerce, (ii) assist in the prevention of the emergence of blighted and marginal land, (iii) help prevent chronic unemployment, (iv) help the City retain and improve the tax base, (v) provide the range of service and employment opportunities required by the population, (vi) help prevent the movement of talented and educated persons out of the State and to areas within the State where their services may not be as effectively used, (vii) promote more intensive development and appropriate use of land within the City, eventually to increase the tax base of the community, and (viii) provide adequate health care services to residents of the City at a reasonable cost.

d. The City acknowledges, finds, determines and declares that the provision of necessary health care facilities so that adequate health care services are available to residents of the State at a reasonable cost is a public purpose.

Section 7. State Approval a Precondition.

a. The proposal to undertake and finance that portion of the Project located in the City but outside of the jurisdictional limits of the Issuer and the Host City, and the issuance of the Obligations, are hereby given approval by the City subject to the approval of the Project by the Department of Trade and Economic Development of the State ("DTED").

b. In accordance with Subdivision 3 of Section 469.154 of the Act, the officers of the City or their designees, are authorized and directed to cooperate with the Issuer in submitting the proposal for the Project to DTED requesting approval, and other officers, employees and agents of the City are hereby authorized to provide DTED with such information as it may require.

Section 8. Limited Obligations.

The Obligations, when and if issued for the Project, shall not constitute a charge, lien or encumbrance, legal or equitable, upon any property of the City. (There will, however, be a charge, lien or encumbrance on the Project, which is not an asset of the City.) The Obligations, when and if issued, shall recite in substance that the Obligations and the interest thereon, are payable

solely from revenues received from the Project and property pledged for payment thereof, and shall not constitute a debt of the City.

Section 9. Approval and Execution of Joint Powers Agreement.

a. The Joint Powers Agreement is hereby made a part of this Resolution as though fully set forth herein and is hereby approved in substantially the form presented to the City Council. The Mayor, the Clerk and the Finance Officer, or the authorized designee of any of the foregoing, are authorized and directed to execute, acknowledge, and/or deliver the Joint Powers Agreement on behalf of the City with such changes, insertions, and omissions therein as the City Attorney may hereafter deem appropriate, such execution to be conclusive evidence of approval of such document in accordance with the terms hereof.

b. The Mayor, the Clerk and the Finance Officer, or the authorized designee of any of the foregoing, are authorized and directed to execute and deliver such other documents or certificates needed from the City for the sale of the Obligations.

c. The approvals in this Section are specifically subject to approval of the Joint Powers Agreement by the Issuer and the Host City and approval of the Project by DTED.

Section 10. Ratification.

The actions of the Clerk taken with respect to causing the Notice of Public Hearing to be published in the official newspaper of the City and a newspaper of general circulation in the City not less than 14 days prior to the hearing are ratified and confirmed in all respects.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999 J. Cherryhomes, President of Council.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev - Your Committee recommends that the proper City and/or Minneapolis Community Development Agency (MCDA) officers be authorized to execute an easement agreement between the City of Minneapolis and the MCDA for Outlot D, Sawmill Run Third, for the purpose of rehabilitation and maintenance of the storm sewer on MCDA owned real property, for use by the Creamette project once it becomes operational.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the MCDA.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 17, 1999. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published September 21, 1999)

Comm Dev - Your Committee, having under consideration the purchase of Symphony Place, a 26-story residential rental project at 1117 Marquette Ave, by Oakwood Minneapolis LLC (formed by R & B Realty Group for the purpose of acquiring and owning Symphony Place) and assumption of existing Housing Revenue Bonds issued by the City, now recommends passage of the accompanying resolution authorizing the execution of an Assumption Agreement with respect to the transfer of Symphony Place and the transfer and assumption of the obligations under the Loan Agreement and related documents (Petr No 265152).

Your Committee further recommends summary publication of the above-described resolution.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 99R-314, relating to Symphony Place, a multifamily housing development financed with the proceeds of the Housing Development Revenue Refunding Bonds (Symphony Place Project), Series 1988, issued by the City in the original aggregate principal amount of \$19,660,000; consenting to the transfer of the development to a new owner; approving the terms and form of an Assumption Agreement; and authorizing the execution and delivery of the Assumption Agreement by the City, was passed September 17, 1999 by the City Council and approved September 23, 1999 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 99R-314

By Niland

Relating to Symphony Place, a multifamily housing development financed with the proceeds of the Housing Development Revenue Refunding Bonds (Symphony Place Project), Series 1988, issued by the City in the original aggregate principal amount of \$19,660,000; consenting to the transfer of the development to a new owner; approving the terms and form of an Assumption Agreement; and authorizing the execution and delivery of the Assumption Agreement by the City.

Resolved by The City Council of The City of Minneapolis:

Section 1. Background.

1.01. Symphony Place. Symphony Place (the "Project") is a multifamily housing development located at 1117 Marquette Avenue in the City of Minneapolis (the "City"). The Project is comprised of a single twenty-six-story building containing 250 residential rental dwelling units. In 1982, the City issued its Housing Development Revenue Bonds (Symphony Place Project), Series 1982 (the "Series 1982 Bonds"), in the original aggregate principal amount of \$20,000,000, pursuant to an Indenture of Trust, dated as of December 1, 1987 (the "Indenture"), between the City and the predecessor to U.S. Bank Trust National Association, as trustee (the "Trustee"), to finance the Project. The proceeds derived from the sale of the Series 1982 Bonds were loaned by the City to Orchestra Hall Associates, a Minnesota limited partnership ("Orchestra Hall Associates"), and Orchestra Hall Associates applied the proceeds of the loan to the acquisition and construction of the Project.

1.02. Prior Transfers. The Series 1982 Bonds were refunded in 1988 with the proceeds of the Housing Development Revenue Refunding Bonds (Symphony Place Project), Series 1988 (the "Series 1988 Bonds"), issued by the City in the original aggregate principal amount of \$19,660,000, pursuant to the Indenture, as supplemented by the First Supplemental Indenture of Trust, dated as of September 1, 1988. The Series 1988 Bonds were secured by a letter of credit issued by Citibank, N.A. (the "Citibank Letter of Credit"). In 1992, as a result of financial difficulties with respect to the Project, Citibank,

N.A. exercised its remedies against the Project and transferred title to the Project to Marquette Avenue, Inc., a corporation created by Citibank, N.A. for the sole purpose of owning the Project. In 1997, the Project was sold to 1117 Marquette Corp., a Delaware corporation formed by Heitman Capital Management Group for the sole purpose of owning the Project ("1117 Marquette Corp."). In conjunction with the transfer of the Project, the Citibank Letter of Credit was replaced with a letter of credit issued by American National Bank and Trust Company of Chicago, a national banking association ("American National Bank").

1.03. Proposed Transfer. Heitman Capital Management Group is proposing to sell the Project to R & B Realty Group. Oakwood Minneapolis LLC, a limited liability company formed for the sole purpose of owning the Project ("Oakwood Minneapolis LLC"), or a related entity, will acquire the Project and assume the obligations of 1117 Marquette Corp. under the Loan Agreement, initially dated as of December 1, 1987, between the City and Orchestra Hall Associates, as amended by Amendment No. 1 to Loan Agreement, dated as of September 1, 1988, and as amended by Amendment No. 2 to Loan Agreement, dated as of February 13, 1997 (the "Loan Agreement"), and related documents. R & B Realty Group is also proposing to replace the letter of credit issued by American National Bank ("American Bank Letter of Credit") with a direct-pay credit enhancement agreement to be issued by Federal Home Loan Mortgage Corporation ("Freddie Mac"). The Freddie Mac credit enhancement will be substituted for the American Bank Letter of Credit within six months from the acquisition of the Project by Oakwood Minneapolis LLC.

Section 2. Transfer and Assumption.

2.01. Consent to Transfer. The City Council hereby consents to the transfer of the Project from 1117 Marquette Corp. to Oakwood Minneapolis LLC (or to any related person or entity formed by R & B Realty Group to acquire the Project).

2.02. Assumption Agreement. There has been presented to the City Council the form of an Assumption Agreement, dated as of September 1, 1999 (the "Assumption Agreement"), among the City, Oakwood Minneapolis LLC, U.S. Bank Trust National Association, and American National Bank. The Assumption Agreement is hereby approved in substantially the form on file with the City on the date hereof, subject to such changes not inconsistent with this resolution and applicable

law that are approved by the Finance Officer of the City. The Mayor, the Finance Officer, and the Clerk of the City are hereby authorized and directed to execute the Assumption Agreement and to provide for delivery of executed counterparts to the other parties to the Assumption Agreement. The Assumption Agreement may be executed in any number of counterparts. All such counterparts shall be deemed to be originals and shall together constitute one and the same instrument.

2.03. Certifications. The City Clerk, the Finance Officer, and other officers and employees of the City are hereby authorized and directed, individually and collectively, to furnish certified copies of all proceedings and certifications as to facts as shown by the books and records of the City, and the right and authority of the City to execute and deliver the Assumption Agreement and to consent to the transfer of the Project, and all such certified copies and certifications shall be deemed representations of fact on the part of the City. Such officers, employees, and agents of the City are hereby authorized to execute and deliver, on behalf of the City, all other certificates, instruments, and other written documents that may be requested by bond counsel, the trustee, or other persons or entities in conjunction with the transfer of the Project or the execution and delivery of the Assumption Agreement. Without imposing any limitations on the scope of the preceding sentence, such officers and employees are specifically authorized to execute and deliver one or more financing statements, one or more certificates relating to federal tax matters including matters relating to arbitrage and arbitrage rebate, one or more orders or directions to the Trustee, a general certificate of the City, and, if necessary, an Information Return for Tax-Exempt Governmental Obligations, Form 8038 (Rev. January 1999).

Section 3. Miscellaneous.

3.01. Agreements Binding. Any agreements, covenants, or obligations of the City contained in this resolution and in the above-referenced documents shall be deemed to be the agreements, covenants, and obligations of the City to the full extent authorized or permitted by law, and all such agreements, covenants, and obligations shall be binding on the City and enforceable in accordance with their terms. No agreement, covenant, or obligation contained in this resolution or in the above-referenced documents shall be deemed to be an agreement,

covenant, or obligation of any member of the City Council, or of any officer, employee, or agent of the City in that person's individual capacity. Neither the members of the City Council, nor any officer executing the above-referenced documents shall be liable personally on the above-referenced documents or be subject to any personal liability or accountability by reason of the execution and delivery of the above-referenced documents.

3.02. Rights Conferred. Nothing in this resolution or in the above-referenced documents is intended or shall be constructed to confer upon any person (other than as provided in the Assumption Agreement, the Indenture, as supplemented, the Loan Agreement, and the other agreements, instruments, and documents hereby approved) any right, remedy, or claim, legal or equitable, under and by reason of this resolution or any provision of this resolution.

3.03. Validity. If for any reason the Mayor, Finance Officer, City Clerk, or any other officers, employees, or agents of the City authorized to execute certificates, instruments, or other written documents on behalf of the City shall for any reason cease to be an officer, employee, or agent of the City after the execution by such person of any certificate, instrument, or other written document, such fact shall not affect the validity or enforceability of such certificate, instrument, or other written document. If for any reason the Mayor, Finance Officer, City Clerk, or any other officers, employees, or agents of the City authorized to execute certificates, instruments, or other written documents on behalf of the City shall be unavailable to execute such certificates, instruments, or other written documents for any reason, such certificates, instruments, or other written documents may be executed by a deputy or assistant to such officer, or by such other officer of the City as in the opinion of the City Attorney is authorized to sign such document.

3.04. Effective Date. This Resolution shall take effect and be in force from and after its approval and publication.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999 J. Cherryhomes, President of Council.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev - Your Committee recommends passage of the accompanying resolution increasing the Minneapolis Community Development Agency (MCDA) appropriation in Fund GEN0 (MCDA General) by \$35,016 and increasing Fund GEN0 revenue by \$35,016 to provide funding for the installation of a telephone system and permit tenants to move into the Phillips Neighborhood Early Learning Center at 2430 - 18th Ave S (Petr No 265152).

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the MCDA.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 99R-315

By Niland

Amending The 1999 Minneapolis Community Development Agency Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in Fund GEN0 - MCDA General by \$35,016 from available fund balance, and increasing the Fund GEN0 revenue estimate (3715-02 Rental Income Land and Building) by \$35,016.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999 J. Cherryhomes, President of Council.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev - Your Committee recommends that the proper City officers be authorized to enter into a contract with the consultant team of Hoisington Kogler Group/Benshoff and Associates/Hagen Christensen and McIlwain Architects in an amount not to exceed \$55,000 to complete the Calhoun Area Residents Action Group neighborhood "Master Plan" as part of their Neighborhood Revitalization Program "First Step Action Plan."

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev - Your Committee, having under consideration City participation in the Year 2000 Livable Communities Act (LCA) Local Housing Incentives Program, now recommends passage of the accompanying resolution electing to continue participating in the Local Housing Incentives Account Program under the Metropolitan Livable Communities Act for Calendar Year 2000, and that the City commit to spend \$505,604.99 in local funds in the Year 2000 to produce affordable and life cycle housing, as required by the Act.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 99R-316

By Niland

Electing to continue participating in the Local Housing Incentives Account Program under the Metropolitan Livable Communities Act in Calendar Year 2000.

Whereas, the Metropolitan Livable Communities Act (Minnesota Statutes Section 473.25 to 473.254) establishes a Metropolitan Livable Communities Fund which is intended to address housing and other development issues facing the metropolitan area defined by Minnesota Statutes section 473.121; and

Whereas, the Metropolitan Livable Communities Fund, comprising the Tax Base Revitalization Account, the Livable Communities Demonstration Account, the Local Housing Incentive Account and the Inclusionary Housing Account is intended to provide certain funding and other assistance to metropolitan area municipalities; and

Whereas, a metropolitan area municipality is not eligible to receive grants or loans under the Metropolitan Livable Communities Fund or eligible to receive certain polluted sites cleanup funding from the Minnesota Department of Trade and

Economic Development unless the municipality is participating in the Local Housing Incentives Account Program under the Minnesota Statutes Section 473.254; and

Whereas, the Metropolitan Livable Communities Act requires the Metropolitan Council to negotiate with each municipality to establish affordable and life-cycle housing goals for that municipality that are consistent with and promote the policies of the Metropolitan Council as provided in the adopted Metropolitan Development Guide; and

Whereas, each municipality must identify to the Metropolitan Council the actions the municipality plans to take to meet the established housing goals through preparation of the Housing Action Plan; and

Whereas, the Metropolitan Council adopted, by resolution after a public hearing, negotiated affordable and life-cycle housing goals for each participating municipality; and

Whereas, a metropolitan area municipality which elects to participate in the Local Housing Incentives Account Program must do so by November 15 of each year; and

Whereas, for calendar year 2000, a metropolitan area municipality that participated in the Local Housing Incentive Account Program during the calendar year 1999 can continue to participate under Minnesota Statutes section 473.254 if (a) the municipality elects to participate in the Local Housing Incentives Program by November 15, 1999; and (b) the Metropolitan Council and the municipality have successfully negotiated affordable and life-cycle housing goals for the municipality;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis hereby elects to participate in the Local Housing Incentives Program under the Metropolitan Livable Communities Act during the calendar year 2000.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999. J. Cherryhomes,
President of Council.

Approved September 23, 1999. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **COMMUNITY DEVELOPMENT** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

Comm Dev & W&M/Budget - Your Committee, having under consideration the Council action of August 13, 1999 directing the Minneapolis Community Development Agency (MCDA) to establish a dedicated fund for the net revenues generated by the operation of the River Terminal, now recommends:

Comm Dev -

a) That the MCDA be directed to establish a special revenue fund, FUND SUR0 (Upper River Land Bank);

b) Authorizing the transfer of available cash in excess of the working capital needs of the River Terminal Fund (Fund ERT0) on an annual basis as of the balance sheet date; and

c) Adoption of the "Guidelines - Upper River Land Bank Fund - Fund SUR0" as set forth in Petn No 265156.

W&M/Budget - Approval of the above-described recommendations, with the exception that FUND SUR0 be amended to read FUND SURF (Surplus Upper River Fund) and that the second bullet in the "Uses" section of the "Guidelines - Upper River Land Bank Fund" be amended to read, "Historic preservation as a part of the MCDA redevelopment activities."

Campbell moved to amend the report by approving the Ways & Means/Budget Committee recommendation. Seconded.

Adopted upon a voice vote.

Campbell moved to amend the report by deleting the language, "with the exception that FUND SUR0 be amended to read FUND SURF (Surplus Upper River Fund)." Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget - Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board approving the Hawthorne Neighborhood Action Plan (the Plan), with total NRP expenditures not to exceed \$4,582,900 (this includes "Early Access" and "First Step" project allocations totaling \$1,710,000), as set forth in Petn No 265157, now recommends:

1. That said Plan, and specifically those parts of the Plan which fall under City jurisdiction, be approved;

2. Passage of the accompanying resolution increasing the NRP Program Fund (CNR0) by \$452,500;

3. That the Minneapolis Community Development Agency (MCDA) staff be directed to establish dedicated reserve funds for the Plan within Fund (CNR) and to assign \$2,420,400 to such reserve fund for future year expenditures on the approved Plan;

4. That the proper City officers be authorized to execute any agreements needed to implement activities set forth in the Plan; and

5. That this action be transmitted to the Board of Commissioners of the MCDA.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 99R-317

By Niland and Campbell

Amending The 1999 Minneapolis Community Development Agency Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing Fund CNR0 - NRP Program by \$452,500 from projected fund balance.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999 J. Cherryhomes, President of Council.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget - Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board approving the Kingfield Neighborhood Action Plan (the Plan), with total NRP expenditures not to exceed \$3,011,144 (this includes the \$350,000 First Step Plan), as set forth in Petn No 265157, now recommends:

1. That said Plan, and specifically those parts of the Plan which fall under City jurisdiction, be approved;
 2. That the Minneapolis Community Development Agency (MCDA) staff be directed to establish dedicated reserve funds for the Plan within Fund (CNR) and to assign \$2,661,144 to such reserve fund for future year expenditures on the approved Plan;
 3. That the proper City officers be authorized to execute any agreements needed to implement activities set forth in the Plan; and
 4. That this action be transmitted to the Board of Commissioners of the MCDA.
- Adopted. Yeas, 10; Nays none.
Absent - Biernat, Niland, Herron.
Passed September 17, 1999.
Approved September 23, 1999. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

The **HEALTH & HUMAN SERVICES** Committee submitted the following reports:

H&HS - Your Committee recommends that the proper City Officers be authorized to issue Fund Availability Notice #Y2-2, under Master Contract #10019, to the Minneapolis Public Schools, in the amount of \$8,741, to provide transportation and support services at the Mona Moede - Neighborhood Early Learning Center during the period August 15 through September 30, 1999, payable from the Health Department (030-440-4413).

Adopted. Yeas, 10; Nays none.
Absent - Biernat, Niland, Herron.
Passed September 17, 1999.
Approved September 23, 1999. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

H&HS - Your Committee, having under consideration the Neighborhood Revitalization Program funded Yellow Brick Road Project, an initiative in the Phillips Neighborhood that provides a corridor to be specifically marked to allow school children, vulnerable adults and other residents to enjoy safe access to work, specified schools and community centers, now recommends that the proper City Officers be authorized to amend Fund Availability Notice #08-1a, under Master Contract #10011, with Project for Pride in Living, Inc to extend the performance period through December 31, 1999.

Adopted. Yeas, 10; Nays none.
Absent - Biernat, Niland, Herron.
Passed September 17, 1999.
Approved September 23, 1999. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

H&HS - Your Committee recommends that the proper City Officers be authorized to execute master contracts with the following community agencies:

Agency	Period
a. Children's Dental Services, Inc.	1/1/2000 - 12/31/2004
b. Children's Health Care, Inc (on behalf of Teen Age Medical Services)	1/1/2000 - 12/31/2004
c. Greater Minneapolis Council of Churches (on behalf of its Division of Indian Work)	1/1/2000 - 12/31/2004
d. Hennepin Faculty Associates	1/1/2000 - 12/31/2004
e. Metropolitan Visiting Nurse Association	1/1/2000 - 12/31/2004
f. Minneapolis Youth Diversion Program	1/1/2000 - 12/31/2000
g. Minnesota Indian Women's Resource Center	1/1/2000 - 12/31/2004
h. Neighborhood Health Care Network	1/1/2000 - 12/31/2004
i. Neighborhood Involvement Program (on behalf of Uptown Community Clinic)	1/1/2000 - 12/31/2004

j. Planned Parenthood of Minnesota & South Dakota	1/1/2000 - 12/31/2004
k. Plymouth Christian Youth Center	1/1/2000 - 12/31/2004
l. Regents of the University of Minnesota (on behalf of Community-University Health Care Center/Variety Children's Clinic)	1/1/2000 - 12/31/2004
m. Ramsey County (on behalf of St. Paul-Ramsey County Department of Public Health)	1/1/2000 - 12/31/2004
n. Southside Community Health Services, Inc.	1/1/2000 - 12/31/2004
o. Youth Trust	1/1/2000 - 12/31/2004

Adopted. Yeas, 10; Nays none.
Absent - Biernat, Niland, Herron.
Passed September 17, 1999.
Approved September 23, 1999. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

H&HS - Your Committee recommends that the proper City Officers be authorized to amend Fund Availability Notice #75-2a, under Master Contract #10011, with Project for Pride in Living, to increase the amount by \$12,254 for a new total contract amount of \$60,254, and to extend the performance period through July 31, 2000, to provide training and job placement services for an additional 10 clients enrolled in the Train-to-Work Program, payable from Neighborhood Services (060-860-8600).

Adopted. Yeas, 10; Nays none.
Absent - Biernat, Niland, Herron.
Passed September 17, 1999.
Approved September 23, 1999. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

H&HS - Your Committee, having under consideration Neighborhood Revitalization Program funded youth projects in the Standish-Ericsson Neighborhood, now recommends that the proper City Officers be authorized to issue Fund Availability Notice #08-6, under Master Contract #10679, to the YMCA of Minneapolis, in the amount of \$12,000, to implement the Camp and School Release/Holiday Adventure Projects during the period June 1, 1999 through December 31, 2000, payable from Neighborhood Services (060-860-8605).

Adopted. Yeas, 10; Nays none.
Absent - Biernat, Niland, Herron.
Passed September 17, 1999.
Approved September 23, 1999. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

H&HS - Your Committee recommends that the proper City Officers be authorized to increase Contract #13632 with Kathleen Amble, in the amount of \$15,500 for a new total contract not to exceed \$45,500, and to extend the performance period through December 31, 1999, for the continuation of consulting services related to the school health initiatives and the Welcome Center, as well as nurse practitioner services for the School Based Clinic Program, payable from the Health Department (060-440-4422).

Adopted. Yeas, 10; Nays none.
Absent - Biernat, Niland, Herron.
Passed September 17, 1999.
Approved September 17, 1999. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.
(Published September 21, 1999)

H&HS - Your Committee, having under consideration the provision of health care services and related activities at the new Mona Moede - Neighborhood Early Learning Center, now recommends that the proper City Officers be authorized to execute Amendment #3 to Contract #13528 with Hennepin County, increasing the contract amount by \$6,297 for a new total not to exceed \$66,277, for reimbursement to Pilot City for physician, nursing and health education services provided during the period August 15, 1999 through September 30, 1999, payable from the Health Department (030-440-4413).

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **HEALTH & HUMAN SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

H&HS & W&M/Budget - Your Committee, having under consideration the Healthy Start Initiative Phase II - Eliminating Racial/Ethnic Disparities in Perinatal Health grant to target disparities in the African American and American Indian communities of Minneapolis and St. Paul, now recommends the following:

a. that the proper City Officers be authorized to accept a grant award of \$1,048,500 from the United States Department of Health & Human Services for years 1999 and 2000;

b. passage of the accompanying Resolution appropriating \$250,000 to the Neighborhood Services Agency to reflect the 1999 allocation; and

c. approve an increase of 3.0 full-time equivalent positions to the Health Department budget (a project director, service coordinator, and clerical support person) to coordinate the project; continued funding of said positions shall be contingent upon the receipt of grant funds.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 17, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published September 21, 1999)

RESOLUTION 99R-318
By Herron and Campbell

Amending The 1999 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Neighborhood Services Agency in the Grants - Federal Fund (030-860-8620) by \$250,000 and increasing the revenue source (030-860-8620 - Source 3210) by \$250,000.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999. J. Cherryhomes, President of Council.

Approved September 17, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published September 21, 1999)

H&HS & W&M/Budget - Your Committee, having under consideration health care access and support services at the Welcome Center, now recommends the following:

a. that the proper City Officers be authorized to accept a three-year grant of \$261,401 from the Children's Defense Fund to increase health care access to families during the period June 1, 1999 through May 31, 2002;

b. passage of the accompanying Resolution appropriating \$261,401 to the Health Department Agency to reflect receipt of said grant funds;

c. approve an increase of 1.5 full-time equivalent positions to the Health Department budget to hire outreach workers for the project, to be funded by the Children's Defense Fund grant; and

d. that the proper City Officers be authorized to issue Fund Availability Notice #Y9-1, under Master Contract #10019, to Special School District #1, in the amount of \$31,500, to provide funding for a social worker during the period June 1, 1999 through May 31, 2000, payable from the Health Department (060-440-4421).

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 99R-319
By Herron and Campbell

Amending The 1999 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Health Department Agency in the Grants - Other Fund (060-440-4421) by \$261,401.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999. J. Cherryhomes, President of Council.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The INTERGOVERNMENTAL RELATIONS
Committee submitted the following reports:

IGR - Your Committee recommends that staff be authorized to submit three applications to the State of Minnesota for bond funding to support the following projects in the Minneapolis Empowerment Zone (EZ): Great Lake Center, Northside Redevelopment Project, and Job Creation Area - SEMI, each in the amount of \$3 million, for a total of \$9 million. The funds will be used for a variety of capital improvements needed to complete the EZ Strategic Plan. (Petr No 265171)

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

IGR - Your Committee, having under consideration Proposed Amendment No 148 to the Minneapolis City Charter, which was transmitted to the City Council by the Charter Commission on August 25, 1999, now recommends that said Amendment be submitted to the qualified voters of the City for adoption or rejection at the General Election to be held November 2, 1999, pursuant to Minnesota Statutes, Section 410.12, Subdivision 4. (Petr No 265169)

Your Committee further recommends that notice of such submission be given by the City

Clerk by publication of such notice and said proposed amendment in full once a week for two successive weeks prior to November 2, 1999 in the Minneapolis Star Tribune, a newspaper of general circulation in the City of Minneapolis, and once in Finance and Commerce, and by posting notices of such election in each and all of the election districts of the City.

Your Committee, further having under consideration the matter of the words and question to appear on the General Election ballot on the question of adoption or rejection of proposed Charter Amendment No 148, now forwards without recommendation the following language:

"Should the Minneapolis City Charter relating to reapportionment be amended by changing the name of the 'reapportionment commission' to the 'redistricting commission'; and changing the current method of the Commission of nominating and choosing members of that Commission to new or amended categories of nominees as follows: 1) nominees may be chosen from each major political party whose candidate for Governor, or United States Senator in the preceding election, received five (5) percent of the total ballots cast for that office in the City of Minneapolis; 2) nominees may be chosen from a list compiled by the Commission from letters of nomination received pursuant to a public notice made by the Commission forty-five (45) days prior to February 1 in years ending in two (2), which letters of nomination may be self-nomination or the nomination of another; and 3) nominees may be selected by the Commission at its discretion by majority vote, of up to two (2) other members from a list of names limited to those submitted only by a) political parties who do not qualify as major parties; or b) self-nominees who are not affiliated with any political party; increasing the number of the members from seven (7) to _____; and further providing that no political party shall constitute a majority of the redistricting commission."

Yes _____

No _____

McDonald moved that the report be amended in the third paragraph by deleting the words "forwards without recommendation" and inserting in lieu thereof the word "approves"; and that the report be further amended by deleting the fourth paragraph and inserting in lieu thereof the following ballot language:

"Proposed Amendment No 148. Shall the Minneapolis City Charter provisions relating to redrawing ward boundaries be amended to: change the name of the Reapportionment Commission to the Redistricting Commission; and provide that no political party will constitute a majority of the commission by providing for membership by all major political parties under certain conditions, allowing for self-nominees who may not be affiliated with any political party, and increase the membership as necessary to implement the changes." Seconded.

Colvin Roy moved to amend the ballot language of the McDonald motion to read as follows:

"Proposed Charter Amendment No 148. Shall the Minneapolis City Charter provisions relating to redrawing ward boundaries be amended to: change the name of the Reapportionment Commission to the Redistricting Commission; and change the process of selection to provide that no political party will constitute a majority of the commission by providing for membership by all major political parties under certain conditions, allowing the Charter Commission, at its discretion, to choose up to two (2) self-nominees who may not be affiliated with any political party, and increasing the membership as necessary to implement the changes." Seconded.

Colvin Roy's motion to amend McDonald's motion was adopted upon a voice vote.

McDonald's motion, as amended by Colvin Roy, was adopted upon a voice vote.

The report, as amended with McDonald's amended motion, was adopted.

Yeas, 8; Nays, 2 as follows:

Yeas - Goodman, Colvin Roy, Mead, Lane, McDonald, Johnson, Ostrow, Cherryhomes.

Nays - Thurber, Campbell.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 17, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published September 21, 1999)

Following is the complete text of the proposed Charter Amendment:

**PROPOSED CHARTER AMENDMENT
NO 148**

Proposing that there be submitted to the qualified voters of the City of Minneapolis an

amendment to Chapter 1, Section 3 of the Minneapolis City Charter relating to City and Ward Boundaries, changing the title "Reapportionment Commission" to "Redistricting Commission" and references thereto, and changing the method of nominating and choosing members of this commission.

Section 1. That Chapter 1, Section 3 of the Minneapolis City Charter be amended to read as follows:

Section 3. Thirteen Wards. A. The City shall consist of thirteen Wards with as nearly equal population as practicable. Within the time specified in paragraph C hereof the ~~Reapportionment~~ Redistricting Commission shall readjust the boundaries of the Wards in accordance with the following standards:

1. A population quota for each Ward shall be determined by dividing the total population of the City by 13. In no case shall any Ward, when readjusted, have a population more than five percent over or under such population quota.

2. Each Ward shall consist of contiguous compact territory not more than twice as long as it is wide, provided that the existence of any lake within any Ward shall not be contrary to this provision. Wherever possible, Ward boundary lines shall follow the center line of streets, avenues, alleys and boulevards and as nearly as practicable, shall run due East and West or North and South.

3. To the extent possible, the Wards shall be numbered consecutively, first on the East side of the Mississippi river and then on the West side and from North to South. However, notwithstanding the foregoing, effective the date of this amendment and thereafter, all newly drawn Wards shall retain the same numerical designation as the then currently existing Ward from which the newly drawn ward received the largest portion of its population.

4. Population shall be determined by use of the official population, as stated by census tracts and blocks in the official United States Census. Whenever it is necessary to modify census data in fixing a Ward boundary, the ~~Reapportionment~~ Redistricting Commission may compute the population of any part by use of other pertinent data or may have a special enumeration made of any block or blocks using the standards of the United States Census. If the population of any block or blocks is so determined, the ~~Reapportionment~~ Redistricting Commission may

assume that the remainder of the census tract has the remaining population shown by the census. In every such case, the determination of the Reapportionment Redistricting Commission as to population shall be conclusive, unless clearly contrary to the census.

B. In each year ending in the number two, or whenever the number of Wards is changed, or when required by court order, Reapportionment Redistricting Commission shall be established to draw Ward boundaries. The Commission shall consist of ~~seven~~ members, as provided herein, who are eligible voters of the City.

The Reapportionment Redistricting Commission shall be appointed as follows:

1. The largest number of City Council members who consider themselves to be affiliated with the same political party shall appoint one person to the Commission. The remaining members of the City Council shall appoint one person to the Commission.

2. The Charter Commission shall request of ~~the state chairs of each of the two political parties whose endorsed candidates for the city council received the highest vote in the city in the preceding general city election~~ a list of nominees from the following sources:

The City Chair, or if there is no City Chair, the State Chair, of each major political party, as defined by Minnesota Statute 200.02, Subdivision 7, whose candidate for governor or for United States senator in the preceding election received five (5) percent of the total ballots cast for that office in the City of Minneapolis. for appointment to the commission. Each party list shall contain at least six, but not more than ten, names of persons broadly representative of the city population. Nominees shall not currently be or within two years previous to appointment, have been, an elected official of municipal, county, state or federal government, nor an employee of a political party, nor a candidate, in a primary or general election, for a public office for which the ballot indicates a political party designation of candidates, nor an employee of city government. Each party list shall include persons from groups traditionally under represented in city government, including racial minorities. The names of the Council appointees and the lists of party nominees shall be submitted to the Charter Commission not later than February 1 in years ending in two. Requests for appointees and nominees shall be made by the Charter Commission 45 days prior to the above deadline.

3. The Charter Commission shall accept letters of nominations from duly eligible voters of the City. The letters may be self-nomination or the nomination of another, all of whom must be eligible voters of the City. Notice of the request for letters of nomination shall be a public notice made by the Commission 45 days prior to February 1 in years ending in two.

Within 15 days after receiving the lists of party nominees and self nominees, the Charter Commission shall select by a majority vote of all of its members, two members from each major party list to serve on the Reapportionment Redistricting Commission; at least one of which must be from the lists submitted by the parties. ~~In the selection of such members, the Charter Commission shall seek broad representation including racial minority representation. If a political party fails to provide a list in a timely manner, the Charter Commission shall make up a list of at least six persons it believes to be bona fide members of that party. Remaining members may be chosen from either the lists submitted by the political parties or from the list of self nominees affiliated with that party.~~

The Charter Commission at its discretion may also select by majority vote up to two other members from a list of names limited to those submitted only by: a) political parties who do not qualify as major parties; or b) self nominees who are not affiliated with any political party.

No political party shall constitute a majority of the Redistricting Commission.

The ~~four~~ members selected by the Charter Commission, and the ~~two~~ Council appointees shall then, within ten days, meet at a time and place selected by the Charter Commission and elect by at least four votes, a seventh a majority vote one more person to serve on the Reapportionment Redistricting Commission who shall serve as its chair. If a chair is not selected within fifteen (15) days after the time set for the initial meeting, each contending faction shall name the person of their choice for chair and the selection shall be made by lot.

If a member shall cease to serve, the vacancy shall be filled in the same manner as that member's original appointment.

Each person selected as a member of the Commission shall take an Oath of Office before acting as a member. The written Oath shall be filed with the City Clerk. Members of the Commission shall receive per diem on the same

basis as members of the City Planning Commission.

The City Council, upon request of the ~~Reapportionment~~ Redistricting Commission, shall promptly provide funding for such staff and other assistance as the Commission deems necessary to complete its work in a timely manner.

C. At or within the times prescribed by law, the ~~Reapportionment~~ Redistricting Commission shall adopt a Ward boundary plan in accordance with the standards of paragraph A hereof. The Commission, with appropriate notice, shall hold at least two public hearings prior to adoption of the plan. At least one of the public hearings shall be for the purpose of reviewing the tentative plan. A copy of the tentative plan shall be published as a legal notice for the public at least seven (7) days prior to the public hearing on the tentative plan. Neighborhoods, as delineated by the Planning Department, shall be solicited for their input. The plan shall state the boundaries and population of each Ward and shall be deemed completed when filed with the city Clerk with the signatures of ~~at least four members~~ a majority of the members of the commission. The ~~Reapportionment~~ Redistricting Commission shall, at this time, be dissolved; however, if the District Court finds the plan improper and returns it, the Commission shall reconvene for the purpose of revising and readopting the ~~reapportionment~~ redistricting plan. Whenever Wards have been so readjusted, no further Ward adjustment shall be made until the announcement of the next decennial United States Census. In the event any territory shall be annexed to the City, it shall become part of the adjoining Ward.

D. Should the ~~Reapportionment~~ Redistricting Commission fail to adopt a plan within the time prescribed, each of the contending factions on the ~~Reapportionment~~ Redistricting Commission shall submit a plan, and one plan shall be selected by lot. Determinations by lot shall be supervised by the City Clerk.

E. (1) The District Court shall exercise original jurisdiction in any matter relating to apportionment in the manner provided by law, and upon application by an appropriate party and after notice and hearing may compel the execution of any action required hereunder.

(2) If a ~~reapportionment~~ redistricting plan is questioned in a proceeding before the Court, and insufficient time remains to determine the issue, the Court may either (a) postpone the effective date of the plan, or (b) if the proposed plan

appears to more closely reflect the distribution of population than the existing Ward apportionment, order that the proposed apportionment be effective for the next election without prejudice to the issue with respect to subsequent elections.

(3) If a ~~reapportionment~~ redistricting plan is questioned in a proceeding before the Court, and the Court finds the plan is improper, the Court shall return the plan to the commission for revision and re adoption.

F. The City Council shall enact the ordinances necessary to implement this section, provided that ~~reapportionment~~ redistricting shall be governed by the law in effect on January 1 of the year in which a ~~Reapportionment~~ Redistricting Commission is established. No readjustment of Ward boundaries shall apply to any City election if the adopted plan goes into effect after the first date for filing for such elections. All Council Members, including those who take office as provided in Chapter 2, Section 16 or 16A of this Charter, may complete the term for which they are elected, or appointed notwithstanding changes in Ward boundaries.

G. This amendment shall take effect immediately upon certification of its adoption by the voters of the City of Minneapolis.

H. The method herein provided shall be the sole method for readjusting Ward boundaries, and the City Council shall have no power to readjust Ward boundaries except as in this section provided.

(Published September 21, 1999)

The INTERGOVERNMENTAL RELATIONS, TRANSPORTATION & PUBLIC WORKS and WAYS & MEANS/BUDGET Committees submitted the following report:

IGR, T&PW & W&M/Budget - Your Committee, to whom was referred by Council action of August 27, 1999 a proposed ordinance amending Chapter 8, Section 13 of the Minneapolis City Charter relating to Public Highways and Bridges, providing for Sidewalk Repairs, now recommends that said proposed ordinance be referred to the Minneapolis Charter Commission for consideration and referral to the City Council for adoption by unanimous vote. (Petn No 265168)

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **INTERGOVERNMENTAL RELATIONS** and **WAYS & MEANS/BUDGET** Committees submitted the following report:

IGR & W&M/Budget - Your Committee, having under consideration the New Central Library Project (Petr No 265170), now recommends that staff be directed to prepare a project work plan and schedule for 1999/2000, and further, that staff be authorized to submit a request to the State of Minnesota for up to \$25 mill in the Year 2000 bonding bill.

Adopted. Yeas, 9; Nays none.

Declining to vote - Lane.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Republished September 28, 1999)

The **PUBLIC SAFETY & REGULATORY SERVICES** Committee submitted the following reports:

PS&RS - Your Committee, to whom was referred an ordinance amending Title 14, Chapter 362 of the Minneapolis Code of Ordinances relating to *Liquor and Beer: Liquor Licenses*, increasing the number of temporary expansion of premises licenses allowed per calendar year for certain premises located within a certain distance from the Metrodome, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

ORDINANCE 99-Or-099

By Campbell

Intro & 1st Reading: 7/30/99

Ref to: PS&RS

2nd Reading: 9/17/99

Amending Title 14, Chapter 362 of the Minneapolis Code of Ordinances relating to Liquor and Beer: Liquor Licenses.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 362.36 (2) of the above-entitled ordinance be amended to read as follows:

362.36. Temporary expansion of premises license.

(2) No individual licensee shall be granted such license for outdoor premises more than four (4) times per calendar year-, unless the permanently licensed premises is located within an area commencing at the point where the Interstate Highway 35W right-of-way intersects South Seventh Street; thence northwesterly along the centerline of South Seventh Street to the centerline of Park Avenue South; thence northeasterly to the centerline of Washington Avenue South; thence southeasterly to the point where Washington Avenue South intersects with the Interstate Highway 35W right-of-way; thence southwesterly along said right of way to the point of beginning.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999. J. Cherryhomes, President of Council.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, to whom was referred an ordinance amending Title 18, Chapter 466 of the Minneapolis Code of Ordinances relating to *Traffic Code: In General*, deleting the use of a special permit to obtain a permit to park a vehicle on the street for the purpose of advertising, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

ORDINANCE 99-Or-100

By Biernat

Intro & 1st Reading: 8/27/99

Ref to: PS&RS

2nd Reading: 9/17/99

Amending Title 18, Chapter 466 of the Minneapolis Code of Ordinances relating to Traffic Code: In General.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 466.280 of the above-entitled ordinance be amended to read as follows:

466.280. Using vehicle for advertising. No person shall operate or park on any street a vehicle for the primary purpose of advertising; ~~except when a special permit has been obtained from the city council.~~

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999. J. Cherryhomes, President of Council.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration the application of Liquid LLC, dba Liquid LLC, 417 1st Av N, for an On-Sale Liquor Class E with Sunday Sales and Sidewalk Cafe Licenses (new business) to expire October 1, 2000, and having held a public hearing thereon, now recommends that said licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration the application of Alma Tierra Inc, dba Alma, 528 University Av SE, for an On-Sale Wine Class E with Strong Beer License (new business) to expire April 1, 2000, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration the application of Dogs Howling Inc, dba Boom, for an On-Sale Liquor Class E with Sunday Sales License (new business) to expire October 1, 2000, and having held a public hearing

thereon, now recommends that said license be granted effective October 1, 1999, subject to the condition that the applicant will not allow adult videos that depict nudity or sexual activities to be shown in the establishment, and subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee recommends granting the following applications for liquor, wine and beer licenses:

On-Sale Liquor Class A with Sunday Sales, to expire January 1, 2000

DT Management Inc, an Arizona Corp, dba Doubletree Guest Suites - Minneapolis, 1101 LaSalle Av (new corporate officer);

On-Sale Liquor Class A with Sunday Sales, to expire April 1, 2000

Skyway Lounge Inc, dba Skyway Lounge, 723-25 Hennepin Av (internal transfer of shares);

On-Sale Liquor Class A with Sunday Sales, to expire October 1, 2000

International Catering Inc, dba Atrium Cafe, 275 Market St (temporary expansion of premises, Special Libraries Association, September 22, 1999, 5:00 p.m. to 10:00 p.m.);

International Catering Inc, dba Atrium Cafe, 275 Market St (temporary expansion of premises, August 28, 1999, 6:45 p.m. to 1:00 a.m., Mead - Kelly Wedding Reception);

On-Sale Liquor Class A with Sunday Sales, to expire October 1, 1999

Western Host Inc, dba Sheraton Minneapolis Metrodome, 1330 Industrial Blvd;

On-Sale Liquor Class B with Sunday Sales, to expire July 1, 2000

Plaza Cafe Inc, dba Plaza Cafe, 15 Main St SE, Suite #207;

On-Sale Liquor Class C-2 with Sunday Sales, to expire October 1, 2000

Historic Theatre Group Ltd, 805 Hennepin Av (temporary expansion of premises, October 11 through November 17, 1999, Tuesdays through Fridays 7:30 p.m. to 11:00 p.m., and Saturdays and Sundays 1:30 p.m. to 11:00 p.m.);

On-Sale Liquor Class E with Sunday Sales, to expire October 1, 2000

T M M S Inc, dba C C Club, 2600-02 Lyndale Av S (internal transfer of shares);

Tony Jaros' River Gardens Inc, dba Tony Jaros' River Gardens, 2500 Marshall St;

On-Sale Liquor Class E with Sunday Sales, to expire October 1, 1999

Laura's 1029 Bar Inc, dba Laura's 1029 Bar, 1029 Marshall St;

On-Sale Liquor Class E, to expire October 1, 2000

Halek's Inc, dba Halek's Bar, 2024 Washington Av N;

Temporary On-Sale Liquor

Twin Cities Public Television Inc, dba Twin Cities Public Television, 172 E 4th St, St. Paul (Minneapolis Convention Center, October 15, 1999 from 11:00 a.m. to 8:00 p.m.; October 16, 1999 from 10:00 a.m. to 8:00 p.m.; and October 17, 1999 from 11:00 a.m. to 6:00 p.m.);

Minnesota Opera, 620 N 1st St (October 2, 1999, 6:00 p.m. to Midnight; Licensed Facilitator: D'Amico & Partners);

Minneapolis Mounted Patrol, 81 S 9th St #260 (Peavy Plaza, 11th St & Nicollet Mall, with entertainment, September 25, 1999 from 9:00 a.m. to 3:00 p.m.; Licensed Facilitator: The Local);

Temporary On-Sale Beer

Church of St Helena, 3204 E 43rd St (Parish Festival, September 17, 1999 from 7:00 p.m. to 9:00 p.m.; September 18, 1999 from 10:00 a.m. to 9:00 p.m.; and September 19, 1999 from Noon to 6:00 p.m.);

Church of St Philip, 2507 Bryant Av N (Annual Festival, September 18, 1999 from 6:00 p.m. to 11:00 p.m.);

Our Lady of Peace Catholic Community, 5425 11th Av S (Fall Festival, September 25, 1999 from Noon to 1:00 a.m.; and September 26, 1999 from Noon to 5:00 p.m.);

4th & Lake Business Association (September 18, 1999 from 9:00 a.m. to 11:00 p.m., celebration of Mexican Independence Year).

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee recommends granting the following applications for business licenses as per list on file and of record in the Office of the City Clerk under date of September 17, 1999, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petr No 265173):

Building Contractor Class A; Building Contractor Class B; Car Wash; Cement Finisher; Contractor/Masonry Class A; Caterers; Grocery; Food Manufacturer; Mobile Food Vendor; Restaurant; Short-Term Food Permit; Seasonal Short Term Food Establishment; Sidewalk Cafe Permit; Fuel Dealer; Fuel Dealer - Cash & Carry Only; Bulk Gas & Oil Storage; Gasoline Filling Station; Lodging House; Motor Vehicle Dealer - Motorcycles; Motor Vehicle Dealer - Used Only; Motor Vehicle Repair Garage; Motor Vehicle Repair Garage with Access Use; Motor Vehicle Servicing Class A (Towing); Pet Shop; Precious Metal Dealer; Secondhand Dealer Class A; Secondhand Dealer Class B; Antique Dealer Class B; Antique Mall Operator Class B; Suntanning Facilities; Swimming Pools; Tattooing; Taxicab Vehicle; Tree Servicing; and Wrecker of Buildings Class A.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee recommends granting the following applications for gambling licenses, subject to final inspection and compliance with all provisions of the applicable codes and ordinances:

Gambling-Lawful Class B

George Glover Neighborhood Gym, 921 Lowry Av NE (Site: Spring Street Bar & Grill, 355 Monroe St NE);

Roosevelt Booster Club, 4029 28th Av S (Site: Tooties, 2706 Lowry Av N);

Roosevelt Booster Club, 4029 28th Av S (Site: Cedar Inn, 4155 Cedar Av);

Roosevelt Booster Club Inc, 13669 43rd St NE, St Michael (Site: Sun Saloon & Restaurant, 1528 University Av NE);

Roosevelt Booster Club Inc, 4029 28th Av S (Site: Goal Line Inc, 1508 E Hennepin);

Multiple Sclerosis Society of Minneapolis, 2344 Nicollet Av #280 (Site: Stasius, 2500 University Av NE);

Roosevelt Booster Club, 4029 28th Av S
(Site: Schooner Tavern, 2901 27th Av S);

George Glover Neighborhood Gym, PO Box
394, Rogers (Site: Little Wagon, 420 S 4th St);

Star Spangled Banner Post 1149 VFW, 3018
17th Av S;

Roosevelt Booster Club, 4537 31st Av S
(Site: Cheshire Inn, 5359 Minnehaha Av);

Roosevelt Booster Club, 13669 43rd St NE,
St Michael (Site: U Otter Stop Inn, 617 Central Av
NE);

Gambling Lawful Exempt

Childrens Hospitals & Clinics Foundation,
2525 Chicago Av (Raffle, November 13, 1999 at
Minneapolis Hilton, 1001 Marquette Av);

Church of St Philip, 2507 Bryant Av N
(Pulltabs, September 18 & 19, 1999);

Church of St Austin, 4050 Upton Av N (Raffle,
October 24, 1999);

Church of St Helena, 3204 E 43rd St (Bingo
and pulltabs, September 18 & 19, 1999);

Metropolitan Economic Development
Association, 250 2nd Av S (Raffle, November 12,
1999 at International Market Square);

Our Lady of Peace Catholic Community, 5425
11th Av S (Bingo and raffle, September 25 & 26,
1999);

University of Minnesota "M" Club, 4500 Park
Glen Rd, Suite 280, St. Louis Park (Raffle,
November 13, 1999 at HHH Metrodome);

Voyageur Outward Bound School, 111 3rd
Av S #120 (Raffle, December 9, 1999).

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under
consideration the pending Grocery and Tobacco
Licenses held by Salah's Inc, dba Lowry Dollar
and Grocery Store, 3126 Lyndale Av N, and
having received notification that the licensee has
agreed to forgo a Technical Advisory Committee
(TAC) hearing as a result of an investigation by
the Police Department into the purchase of stolen
property by stores, and has agreed to stipulate
that the Findings of Fact, Conclusions and
Recommendations are true and correct, now
recommends that upon meeting all requirements
of the City for licensing, that said pending licenses

be granted and the licensee be allowed to continue
operating the business at 3126 Lyndale Av N,
subject to the following conditions, as more fully
set forth in said Findings, on file in the Office of the
City Clerk and made a part of this report by
reference:

a. that the licensee pay a penalty of \$1,000;

b. that Salah's Inc be suspended from selling
any product, including cigarettes, for a period of
one week, and that the store be closed for said
one week period, from October 17, 1999 through
October 23, 1999.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee recommends that
the proper City Officers be authorized to execute
Amendment #4 to Contract #3784 with the United
States Drug Enforcement Agency (DEA) to provide
one police officer to the DEA Task Force during
the period October 1, 1999 through September
30, 2000 for the purpose of suppressing drug
trafficking in the Minneapolis/St. Paul metropolitan
area. (Petn No 265173.1)

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, to whom was
referred back a report relating to the Grocery
License held by Billy Ray Gorham, dba Billy's
Corner Market, 1523 Como Av SE, and having
received notification from the State of Minnesota
Department of Revenue that Billy's Corner Market
has an outstanding tax liability, now recommends
that said license be revoked and the licensee
immediately discontinue business within the City
of Minneapolis until a tax clearance certificate is
obtained from the State.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration the following properties creating nuisance conditions within the meaning of Chapter 249 of the Minneapolis Code of Ordinances, and having determined that rehabilitation of said properties is not feasible, now recommends that the proper City officers be authorized to raze the following properties, as more fully set forth in the Findings of Fact, Conclusions and Recommendations which are on file in the Office of the City Clerk and made a part of this report by reference:

a. 3248 N 6th St, The North 24 feet of Lot 13 & the South 10 feet of Lot 14, Block 32, Baker's Fourth Addition to Minneapolis (PID #10-029-24-23-0119);

b. 3415 Fremont Av N, Lot 12, Block 4, Dean Park Addition (PID #09-029-24-12-0101).

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration the emergency demolition of the building located at 247 Cedar Av as a result of the property suffering severe fire damage on or about June 24, 1999, now recommends that the proper City Officers be authorized to make payment to Land Recycling Service Inc, in the amount of \$44,410, for the costs of said emergency demolition, in accordance with Sections 87.100 and 87.110 of the Minneapolis Code of Ordinances. (Petr No 265172)

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **PUBLIC SAFETY & REGULATORY SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

PS&RS & W&M/Budget - Your Committee, having under consideration the Building Information and Inspections System Project (BIIS), now recommends that the proper City Officers be authorized to amend Contract #11164 with KIVA by increasing the amount by \$36,412, for a new total contract amount of \$473,287, for software

maintenance services for the period August 1, 1999 through July 31, 2000, payable from Information and Technology Services - SISP funds. Further, that the contract period be extended from August 1, 1999 until such time that the BIIS project is implemented and the project is completed.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to accept a grant award of \$25,233 from the Federal Emergency Management Agency, State and Local Assistance Program, with the required local match to be allocated from personnel costs in the Office of Emergency Preparedness.

Your Committee further recommends passage of the accompanying Resolution appropriating \$25,233 to the Fire Department Agency to reflect receipt of said grant funds.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 99R-320

By Biernat and Campbell

Amending The 1999 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Fire Department Agency in the Grants - Federal Fund (030-280-2880) by \$25,233 and increasing the revenue source (030-280-2880 - Source 3210-02) by \$25,233.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999. J. Cherryhomes, President of Council.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to submit a grant application to the Minnesota State Department of Public Safety, Community Notification Reimbursement Grant of \$8,753.61, to reimburse the Police Department for expenditures incurred in conducting Level 2 and Level 3 sex offender notification flyer distribution and community meetings which were held between January 1 and June 30, 1999.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to execute an agreement with the State of Minnesota Department of Corrections to detail Sgt Cari Gerlicher to the Department of Corrections to serve as Director of Office of Special Investigations for a twelve-month period, not to exceed October 31, 2000, provided that the Department of Corrections be required to reimburse the City for Sgt Gerlicher's salary and benefits; said contract to be in a form acceptable to the City Attorney.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to submit a grant application to the Minnesota Department of Public Safety seeking Community Oriented Policing (COPS) funds for the Year 2000 for officer overtime to provide police services to the community in high crime areas.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget - Your Committee, having under consideration the occupancy of the Hennepin County First Response Team at the Fourth Precinct, now recommends that the proper City Officers be authorized to execute a five-year,

rent-free lease with Hennepin County to occupy an office 24 hours a day, seven days a week at the Fourth Precinct. The County shall pay \$23,503.92 in renovation fees for office expansion and to build a new roll call room at the Precinct.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 17, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published September 21, 1999)

PS&RS & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to accept an award of \$69,100 from the Minnesota Peace Officers Standards and Training Board, 1999 Educational Opportunities Program, in recognition of the efforts of the Police Department to bring greater diversity to the profession.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **TRANSPORTATION & PUBLIC WORKS** Committee submitted the following reports:

T&PW - Your Committee recommends granting the application of Tom Ritzer, University of Minnesota Facilities Management Division, to pave with concrete the boulevard area between the sidewalk and street at the northeast quadrant of Washington Av S & 19th Av S.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having under consideration the report passed by the Council on August 27, 1999 awarding bids for impound towing services and having been informed that Shorty's Heavy Duty Wrecker Service, Inc. has withdrawn their bid for Zone 6, now recommends that said report be amended by deleting acceptance of the bid of Shorty's Heavy Duty Wrecker Service, Inc. for Zone 6 and accepting the next lowest bid of Chief's Towing, Inc. in the amount of \$125 per tow.

Your Committee further recommends that the proper City Officers be authorized to execute a contract for said services, in accordance with City specifications.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Republished October 1, 1999)

T&PW - Your Committee, having been informed of a delay in receipt of the assessment study that will be used to prepare a request for proposals (RFP) for operation of the Municipal Parking System, now recommends that the proper City officers be authorized to extend the existing contract with Municipal Parking, Inc. to continue their operation of the Municipal Parking System from December 31, 1999 through September 30, 2000 under the same terms and conditions of the existing contract.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Republished October 1, 1999)

T&PW - Your Committee recommends passage of the accompanying Resolution designating the improvement of the NWly-SEly alley in the block between Washington Av N and 3rd St N from 5th to 6th Aves N, Special Improvement of Existing Street No 2206.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Republished October 1, 1999)

RESOLUTION 99R-321

By Mead

SPECIAL IMPROVEMENT OF EXISTING STREET NO 2206

Designating the improvement of the NWly-SEly alley in the block betw Washington Av N and 3rd St N from 5th to 6th Aves N.

Resolved by The City Council of The City of Minneapolis:

That the following existing alley within the City of Minneapolis is hereby designated to be improved, pursuant to the provisions of Chapter 10, Section 8 of the Minneapolis City Charter, by paving with concrete and including other alley paving related improvements and work as needed:

NWly-SEly alley in the block betw Washington Av N and 3rd St N from 5th to 6th Aves N.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999. J. Cherryhomes, President of Council.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Republished October 1, 1999)

T&PW - Your Committee, having received a cost estimate of \$79,000 for alley paving improvements and a list of benefited properties for the NWly-SEly alley in the block between Washington Av N and 3rd St N from 5th to 6th Aves N, Special Improvement of Existing Street No 2206, as designated by Resolution 99R-321 passed September 17, 1999, now recommends that the City Engineer be directed to prepare a proposed Alley Paving Special Improvement Assessment against the list of benefited properties by applying the assessment method described in Petn No 265179 on file in the Office of the City Clerk.

Your Committee further recommends that the City Clerk be directed to give notice of a public hearing to be held by the Transportation and Public Works Committee on October 21, 1999, in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances, to consider approving the construction of the above designated alley paving project and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Republished October 1, 1999)

T&PW - Your Committee, having under consideration the sewer construction

microtunneling projects, now recommends that the proper City officers be authorized to increase the contract with Hobas Pipe, Inc. by \$75,000, to provide special piping needed for intermediate jacking construction. The increase is payable from funds available in the Sewer Rental Fund (7300).

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Republished October 1, 1999)

T&PW - Your Committee, having under consideration the Regional 800MHz Trunked Radio System and the City's contract with Ronald Vegemast Engineering, Inc. as communications consultant on the design of the Minneapolis substation, now recommends that the proper City officers be authorized to modify said contract by amending Task No. 5 to more clearly define the project responsibilities. Said amendment shall not change the cost of services so no additional funding is required.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Republished October 1, 1999)

The **TRANSPORTATION & PUBLIC WORKS** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

T&PW & W&M/Budget - Your Committee, having under consideration the Transportation Equity Act for the 21st Century (TEA-21) Program and a request for authorization to submit applications seeking funding for City bridge projects, now recommends that the City Engineer be directed to submit the necessary paperwork to the Minnesota Department of Transportation (Mn/DOT) State Aid Office for the following projects:

a) \$775,000 in Federal Bridge Improvement and Replacement Funds (BIR) and \$196,000 in State Bridge Bond (SBB) funds for the reconstruction of the **Royalston Avenue Bridge** over BNSF Railroad (State Bridge No 99037) in the year 2003 with the goal of advancing BIR and SBB funds to the year 2000 with local matching expenditures (Municipal State Aid (MSA), \$1,461,000; Net Debt Bond (NDB), \$74,000; Assessment Bonds, \$65,000) to be paid from anticipated appropriations in the PW - Streets & Malls Capital Agency in the Permanent Improvement Projects Fund (4100-937-9386) requested in the Public Works' Capital Improvement Program for years 2000-2004;

b) \$823,000 in BIR funds and \$207,000 in SBB funds for the reconstruction of the **First Avenue South Bridge** over Hennepin County Regional Railroad Authority (HCRRA) property (State Bridge No 92347) in the year 2003 with local matching expenditures (MSA, \$854,000; NDB, \$244,000; Assessment Bonds, \$263,000; and Water funds, \$84,000) to be paid from anticipated appropriations in the PW - Streets & Malls Capital Agency in the Permanent Improvement Projects Fund (4100-937-9386) requested in the Public Works' Capital Improvement Program for years 2000-2004;

c) \$733,000 in BIR funds and \$183,000 in SBB funds for the reconstruction of the **Fremont Avenue South Bridge** over HCRRA property (State Bridge No L8901) in the year 2003 with local matching expenditures (NDB, \$657,000; Water Funds, \$86,000) to be paid from anticipated appropriations in the PW - Streets & Malls Agency in the Permanent Improvement Projects Fund (4100-937-9386) requested in the Public Works' Capital Improvement Program for years 2000-2004;

d) \$444,000 in BIR funds and \$117,000 in SBB funds for the reconstruction of the **East River Road Bridge** over Bridal Veil Falls (State Bridge No L5761) in the year 2004 with local matching expenditures (NDB, \$539,000) to be paid from anticipated appropriations in the PW - Streets & Malls Agency in the Permanent Improvement Projects Fund (4100-937-9386) requested in the Public Works' Capital Improvement Program for years 2000-2004.

Your Committee further recommends passage of the accompanying resolution amending the Five-Year Bridge Replacement/Rehabilitation Program in the Capital Improvement Program identifying the bridge projects and making them eligible for federal and state bridge bond funding.

Adopted. Yeas, 10; Nays none.
 Absent - Biernat, Niland, Herron.
 Passed September 17, 1999.
 Approved September 17, 1999. S. Sayles Belton, Mayor.
 Attest: M. Keefe, City Clerk.
 (Published September 21, 1999)

RESOLUTION 99R-322
By Mead

Amending Resolution 97R-117 entitled, "Identifying bridges to be included in the Five-Year Bridge Replacement/Rehabilitation Program in the Capital Improvement Program", passed May 9, 1997, as amended.

Whereas, the City of Minneapolis has determined that the following deficient bridges on the City Street system are a high priority and require replacement or rehabilitation within the next five (5) years:

State Bridge No.	Road/Street	Estimated Project Cost	Federal Funds	Local Funds	Bond Funds Needed	Proposed Constr. Year
90662	97	1,264,000	851,000	200,000	313,000	1998
90664	97	687,000	454,000	120,000	113,000	2000
L8900	605	913,000	280,000	563,000	70,000	1999
90470	16	3,116,000	1,339,000	1,442,000	335,000	2001
92349	165	2,372,000	805,000	1,366,000	201,000	2002
27549	153	3,414,000	2,400,000	400,000	600,000	2002
2796	328	906,000	415,000	83,000	408,000	2000
6247	2616	1,354,000	0	954,000	400,000	2001
Add:						
99037	291	2,571,000	775,000	1,600,000	196,000	2000
92347	190	2,476,000	824,000	1,445,000	207,000	2003
L8901	1030	1,658,000	733,000	742,000	183,000	2003
L5761	513	1,100,000	444,000	539,000	117,000	2004

State Bridge No.	Road/Street
90662	St. Anthony Blvd over CP Rail
90664	St. Anthony Blvd over BNSF RR
L8900	First St S over CNW RR
90470	Cedar Lake Pkwy over BNSF RR
92349	Chicago Av S over HCRRA
27549	Camden Av over Mississippi River
2796	10th Avenue SE over Mississippi River
6247	Plymouth Av over BNSF RR

Add:	
99037	Royalston Avenue over BNSF RR
92347	First Avenue S. over HCRRA
L8901	Fremont Avenue S. over HCRRA
L5761	East River Road over Bridal Veil Falls

Whereas, local roads play an essential role in the overall state transportation network, and local bridges are the critical component of the local road system; and

Whereas, State support for the replacement or rehabilitation of local bridges continues to be crucial to maintaining the integrity of the local road system and is necessary for the City to proceed with the replacement or rehabilitation of the high priority deficient bridges described above; and

Whereas, the City of Minneapolis intends to proceed with replacement or rehabilitation of these bridges as soon as possible when State Transportation Bond Funds are available.

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis commits that it will proceed with the design and contract documents for these bridges after being notified that funds are available in order to permit construction to take place as scheduled.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999. J. Cherryhomes, President of Council.

Approved September 17, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published September 21, 1999)

T&PW & W&M/Budget - Your Committee recommends acceptance of the following bids in accordance with City specifications (Petn No 265184):

a) OP #5206, low bid submitted by Meridian Aggregates for an estimated expenditure of \$165,000 for furnishing and delivering fine aggregates for bituminous sealcoat for the Public Works Street Department as needed through May 31, 2000;

b) OP #5198, low bid of EnviroBate Metro in the amount of \$103,000 for furnishing all labor, materials, equipment and incidentals to accomplish asbestos and hazardous removal for the Public Works Equipment Services Division;

c) OP #5222, only bid of Don Harstad Company, Inc. for an estimated expenditure of \$130,752 for furnishing and delivering an upgrade to the software and firmware for municipal parking ramps; and

d) OP #5217, only bid of L. S. Black Constructors, Inc. in the amount of \$83,125 for furnishing and delivering all labor, materials, equipment and incidentals necessary to complete landscaping and site improvements at 43rd St W & Upton Av S for the Public Works Paving Construction Division.

Your Committee further recommends that the proper City Officers be authorized to execute contracts for the above projects and/or services, in accordance with City specifications.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Republished October 1, 1999)

T&PW & W&M/Budget – Your Committee recommends approval for the proper City officers to include an insert in the September 1999 utility bills notifying residents of America Recycles Day on November 15, 1999 and encouraging the purchase of recycled content products. (Petn No 265185)

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Republished October 1, 1999)

T&PW & W&M/Budget - Your Committee, having under consideration the Van White Circle street construction project located north of 14th Av N between Lyndale and Aldrich Aves N and the need to identify additional capital funding to complete the project based on final cost estimates, now recommends:

T&PW - a) That \$43,000 allocated for the Johnson St NE MSA Project in the 1999 Capital Improvement Budget, a project that has been delayed until 2000, be reallocated to the Van White Circle Project, and that the Johnson St project be considered for inclusion in the 2000 budget;

b) Passage of the accompanying resolution appropriating \$43,000 to the Van White Circle Project;

c) Passage of the accompanying resolution requesting the Board of Estimate and Taxation to concur in the transfer of bond funds.

W&M/Budget - That the Van White Circle Project proceed utilizing funding budgeted for the project to the Minneapolis Community Development Agency (MCDA) in the amount of \$80,000 along with funding from the 1999 Residential Street Renovation Program in the amount of \$45,000.

Mead moved to amend the report to approve the Ways & Means/Budget recommendation and to delete the recommendation of the Transportation & Public Works Committee. Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted.

Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 17, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published September 21, 1999)

T&PW & W&M/Budget – Your Committee, having under consideration the 43rd St W & Upton Av S Roadway and Streetscape Revitalization Project and an easement needed to construct a public sitting and planting area as part of the project, now recommends acceptance of the following easement from S & D Land Holdings, Inc.:

That part of Lot 13, Block 22, First Division of Remington Park, described as follows:

Commencing at the southeast corner of Lot 13, Block 22, said addition, thence north 41.0 feet along the east line of said lot, thence west 19.8 feet along a line parallel to and 51.6 feet south of the north line of Lot 13, thence south to a point on the south line of said Lot 13 being 20.1 feet west of the southeast corner of said lot, thence east to the point of beginning and there terminating.

Your Committee further recommends, in return for granting the required easement, that the special assessment levied against the property of S&D Land Holdings for the 43rd St W & Upton Av S Roadway and Streetscape Revitalization Project in the amount of \$9,553.77 be cancelled.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee, having under consideration the Lyn-Lake Municipal Parking Lots project and a request submitted to the Minneapolis Community Development Agency (MCDA) for a Community Commercial Economic Development Fund (CEDF) grant to be used to pay for a portion of the construction costs for said project, now

recommends that the proper City officers be authorized to enter into a grant agreement with the MCDA for receipt of a \$100,000 CEDF grant.

Your Committee further recommends passage of the accompanying resolution appropriating \$100,000 to the PW - Transportation Capital Agency recognizing receipt of the CEDF grant.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 99R-323

By Mead and Campbell

Amending The 1999 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the PW - Transportation Capital Agency in the Municipal Parking Fund (7500-943-9464) by \$100,000 and increasing the revenue source (7500-943-9464 - Source 3215) by \$100,000 to be reimbursed by the Community Commercial Economic Development Fund grant from the MCDA.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999. J. Cherryhomes, President of Council.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee, having under consideration the Lyn-Lake Municipal Parking Lot project and establishment of proceedings for assessment of project costs and expenses and the establishment of impact fees for businesses that have bought into the lots to meet parking requirements, now recommends:

a) Passage of the accompanying Resolution establishing the special assessment proceedings for payable 2000 for the Lyn-Lake Parking Facilities; and

b) Establishment of impact fees for the Lyn-Lake lots for the period of September 1, 1999 through August 31, 2000 at \$805 per stall for

businesses that had licenses/permits to expand their businesses, or approved plans by the City to expand their businesses as of September 1, 1998, and \$1,610 per stall for new businesses.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 99R-324

By Mead and Campbell

Establishing the special assessment proceedings for payable 2000 for the Lyn/Lake Parking Facilities.

Whereas, Minnesota Statutes, Section 459.14 (Automobile Parking Facilities) authorizes the City of Minneapolis to acquire property interests, construct parking facilities, operate and maintain parking facilities and finance parking facilities through special assessments levied against benefited properties; and

Whereas, the City of Minneapolis has approved the establishment of parking facilities in the Lyn/Lake area, as more particularly described in Resolutions 98R-129 passed April 24, 1998 and 98R-186 passed May 22, 1998 and in Petn Nos 263708 and 263799 on file in the Office of the City Clerk; and

Whereas, the City Engineer has recommended the amount to be specially assessed for payable 2000 to be \$170,773, all as contained in Petn No 265183 on file in the Office of the City Clerk;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the proper City Officers are hereby directed to prepare proposed special assessments in the total amount of \$170,773 and to give notice of a public hearing to be held by the Transportation and Public Works Committee on October 21, 1999, in accordance with Minnesota Statutes, Section 459.14 and Minnesota Statutes, Chapter 429, to consider the amount proposed to be assessed to each benefited property for payable 2000.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999. J. Cherryhomes, President of Council.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee, having under consideration a report from the City Engineer outlining the Public Works Department snow and ice removal budget and projected expenditures, and presenting options for service reductions or increasing the budget appropriation to address the projected budget shortfall, now recommends:

T&PW - That the Public Works Department be directed to continue to carry out the service reductions outlined by the Department at the Mid-Year Budget Review.

Your Committee further recommends passage of the accompanying resolution appropriating \$1,300,000 to the PW - Streets & Malls Agency to fund snow and ice removal operations for the remainder of 1999.

W&M/Budget - That the Public Works Department be directed to continue to carry out the service reductions outlined by the Department at the Mid-Year Budget Review.

Your Committee further recommends that the Public Works Department be directed to continue providing snow and ice removal services, as required, and that the Public Works and Finance Departments be directed to return to the Transportation & Public Works and Ways & Means/Budget Committees in two weeks with options for funding the projected budget shortfall, reviewing revenues and expenses from all City department budgets.

Mead moved to amend the report to approve the Ways & Means/Budget recommendation and to delete the recommendation of the Transportation & Public Works Committee. Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted.

Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee, having under consideration the submission of applications seeking funding through the federal Transportation Equity Act for the 21st Century (TEA-21) for various City projects, now

recommends that the proper City officers be authorized to submit to the Metropolitan Council the entire series of applications brought forward by staff (as contained in Petn No 265182) for TEA-21 funds and further recommends that the City commit the necessary local match from the proposed sources cited in said petition or from other sources which may become available, subject to individual project selection for a grant award.

Your Committee further recommends that staff be directed to identify the maximum potential funding gap in the capital budget and identify specific projects that would not proceed in order to eliminate said funding gap, with the understanding that the City Engineer will establish a list of projects, in order of priority, to assist the Council with identification of projects for deferral.

Mead moved to amend the report by adding the following:

"That the City Engineer be directed to work with Hennepin County staff to submit three TEA-21 applications for streetscape improvements along Lake Street in connection with Hennepin County's future plan to reconstruct Lake Street from Lyndale to West River Road." Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 17, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published September 21, 1999)

The **WAYS & MEANS/BUDGET** Committee submitted the following reports:

W&M/Budget - Your Committee, having under consideration technical adjustments to 1998 and 1999 Strategic Information Systems Planning (SISP) Projects, now recommends approval to increase the appropriation for the Information and Technology Services (ITS) Department by \$1,100,000, pending a location and design review waiver by the Planning Commission.

Your Committee further recommends passage of the accompanying Resolutions:

a) increasing the SISP Agency Appropriation by \$1,100,000 for 1998 and 1999 SISP Projects;

b) requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis general obligation bonds, in the amount of \$1,100,000, to support said increase; and

c) stating the City's intent to reimburse itself for expenses incurred for the 1998 and 1999 SISP Projects from the future sale of ITS bonds.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 99R-325

By Campbell

Amending The 1999 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Strategic Information Systems Planning (SISP) Agency in the Permanent Improvement Projects Fund (4100-972) by \$1,100,000.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999. J. Cherryhomes, President of Council.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 99R-326

By Campbell

Requesting that the Board of Estimate and Taxation incur indebtedness and issue and sell City of Minneapolis general obligation bonds, in the amount of \$1,100,000, for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis general obligation bonds, in the amount of \$1,100,000, the proceeds of which are to be used for the City to reimburse itself for expenses incurred for the 1998 and 1999 Strategic Information System Planning (SISP) Projects.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999. J. Cherryhomes,
President of Council.

Approved September 23, 1999. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 99R-327

By Campbell

**Stating the City's intent to reimburse itself
for expenses incurred for the 1998 and 1999
Strategic Information Systems Planning (SISP)
Projects from the future sale of ITS bonds.**

Resolved by The City Council of The City of
Minneapolis:

That the above-entitled resolution constitutes
an official declaration pursuant to Treasury Reg.
SS 1.103-17 and 1.103-18 that the City intends to
reimburse expenditures which may be made for
those projects designated herein to be funded
with bond proceeds by incurring tax exempt debt
of the City in the form of general obligation
Information and Technology Services (ITS) bonds,
as more fully described in Petn No 265193. The
reasonably expected source of funds to pay debt
service on the tax exempt ITS bonds to be issued
by the City is Fund 6400.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999. J. Cherryhomes,
President of Council.

Approved September 23, 1999. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee, having
under consideration the proposed Guthrie Theater
expansion, now recommends that appropriate
staff of the Finance and Planning Departments of
the City of Minneapolis and appropriate staff of
the Minneapolis Community Development Agency
be directed to prepare the following:

a) a Development Framework that facilitates
the expansion of the Guthrie Theater; and

b) a real estate exchange between the
Minneapolis Park and Recreation Board and the
City of Minneapolis.

Your Committee further recommends that
the Minneapolis Park and Recreation Board be
requested to participate in the design and
implementation of the Development Framework,
including real estate transactions.

Your Committee further recommends that
appropriate staff of the Planning Department be
directed to provide a report at the next
Transportation and Public Works Committee
meeting on the SRF Consulting Group Report
relating to the Public Works Impound Lot/Linden
Yards Alternatives Study.

Campbell moved to amend the report to delete
from the last paragraph the language, "of the
Planning Department." Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 9; Nays, 1 as follows:

Yeas - Goodman, Colvin Roy, Mead, Lane,
McDonald, Thurber, Ostrow, Campbell,
Cherryhomes.

Nays - Johnson.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee
recommends acceptance of a blanket employee
dishonesty bond from Hartford Fidelity and
Bonding Company, in the amount of \$5,000.

Your Committee further recommends that
the proper City officers be authorized to execute
and deliver a release to Hartford Fidelity and
Bonding Company, since the City Attorney's Office
does not recommend pursuing a greater recovery
from Hartford.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee
recommends approval to appropriate an additional
\$141,500 to the Near Northside Redevelopment
Project, for reimbursement from the Minneapolis
Community Development Agency's Preliminary
Planning Fund.

Your Committee further recommends
passage of the accompanying Resolution
increasing the Capital Improvement - Non-
Departmental Agency Appropriation by \$141,500.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.
Approved September 23, 1999. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

RESOLUTION 99R-328
By Campbell

**Amending The 1999 Capital Improvement
Appropriation Resolution.**

Resolved by The City Council of The City of
Minneapolis:

That the above-entitled resolution, as
amended, be further amended by increasing the
appropriation for the Capital Improvement - Non-
Departmental Agency in the Permanent
Improvement Projects Fund (4100-970-9719) by
\$141,500, for the Near Northside Project, to be
reimbursed from the Minneapolis Community
Development Agency's Preliminary Planning
Fund, and increasing the Capital Improvement -
Non-Departmental Agency revenue estimate in
the Permanent Improvement Projects Fund (4100-
970-9719-Source 3845) by \$141,500.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999. J. Cherryhomes,
President of Council.

Approved September 23, 1999. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee
recommends approval to award Phillips Federal
Weed and Seed funds to the Minneapolis Park
and Recreation Board, in the amount of \$10,000,
for the park police to continue to provide a Security
Detail and Street Level Drug Dealing Enforcement
Program, focusing directly within Peavey Park.

Your Committee further recommends that
the proper City officers be authorized to execute
a Memorandum of Understanding with the
Minneapolis Park and Recreation Board for
continuation of said program.

Your Committee further recommends
passage of the accompanying Resolution
increasing the Interfund Transfer Agency
Appropriation by \$10,000.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 99R-329
By Campbell

**Amending The 1999 General Appropriation
Resolution.**

Resolved by The City Council of The City of
Minneapolis:

That the above-entitled resolution, as
amended, be further amended by:

a) decreasing the appropriation for the Non-
Departmental Agency in the Federal Grants Fund
(0300-123-1230-5130-WP04) by \$10,000; and

b) increasing the appropriation for the
Interfund Transfer Agency in the Federal Grants
Fund (0300-127-1270-5130) by \$10,000 for
transfer to the Minneapolis Park and Recreation
Board.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999. J. Cherryhomes,
President of Council.

Approved September 23, 1999. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee
recommends that the proper City officers be
authorized to submit an application to the
Minnesota Department of Trade and Economic
Development for Redevelopment Grant Program
funds on behalf of the Urban Village Project, in the
amount of \$500,000.

Your Committee further recommends
passage of the accompanying Resolution
supporting the grant application and committing
to the required local match.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 99R-330
By Campbell

**Supporting the grant application and
committing to the required local match.**

Whereas, the City of Minneapolis shall act as
the legal sponsor for the Urban Village Project, as
contained in the Redevelopment Grant Program,
to be submitted on October 1, 1999; and

Whereas, the proper City officers are hereby authorized to apply to the Department of Trade and Economic Development for funding of said project on behalf of the City of Minneapolis; and

Whereas, the City of Minneapolis has the legal authority to apply for financial assistance and the institutional, managerial, and financial capability to ensure adequate project administration; and

Whereas, the sources and amount of the local match identified in the application are committed to the project identified; and

Whereas, the City of Minneapolis has not violated any federal, state or local laws pertaining to fraud, bribery, graft, kickbacks, collusion, conflict of interest or other unlawful or corrupt practices; and

Whereas, the City of Minneapolis may enter into an agreement with the State of Minnesota for the above-referenced project and that the City of Minneapolis certifies that it will comply with all applicable laws and regulations, as stated in all contract agreements;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the proper City officers are hereby authorized to execute such agreements as are necessary to implement said project on behalf of the applicant.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999. J. Cherryhomes, President of Council.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to submit an application to the Metropolitan Council for Livable Communities Demonstration Account Grant Program funds on behalf of the Urban Village Project, in the amount of up to \$500,000.

Your Committee further recommends passage of the accompanying Resolution authorizing application for the Livable Communities Demonstration Program.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 99R-331

By Campbell

Authorizing application for the Livable Communities Demonstration Program.

Whereas, the City of Minneapolis is a participant in the Livable Communities Act's Housing Incentives Program for 1998, as determined by the Metropolitan Council, and is therefore eligible to make application for funds under the Livable Communities Demonstration Account; and

Whereas, the City has identified a proposed project within the City that meets the Demonstration Account's purpose(s) and criteria; and

Whereas, the City has the institutional, managerial and financial capability to ensure adequate project administration; and

Whereas, the City certifies that it will comply with all applicable laws and regulations as stated in the contract agreements; and

Whereas, the City Council of the City of Minneapolis, Minnesota agrees to act as legal sponsor for the project contained in the Demonstration Account application to be submitted on October 1, 1999;

Now, Therefore, Be It Resolved by The City Council of the City of Minneapolis:

That the proper City officers be authorized to apply to the Metropolitan Council for said funding on behalf of the City of Minneapolis and to execute such agreements as are necessary to implement the project on behalf of the applicant.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999. J. Cherryhomes, President of Council.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends approval to transfer Community Resource Program Year 10 funds from the Department of Health and Family Support/ Department of Neighborhood Services to the Public Works Department to continue providing graffiti removal services, in the amount of \$19,299.

Your Committee further recommends passage of the accompanying Resolution transferring said funds.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.
Passed September 17, 1999.
Approved September 23, 1999. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

RESOLUTION 99R-332
By Campbell

Amending The 1999 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:
That the above-entitled resolution, as amended, be further amended by:
a) decreasing the appropriation for the Neighborhood Services Agency in the Grants - Other Fund (0600-860-8605) by \$19,299; and
b) increasing the appropriation for the Public Works - Solid Waste Agency in the Grants - Other Fund (0600-664-6650) by \$19,299.
Adopted. Yeas, 10; Nays none.
Absent - Biernat, Niland, Herron.
Passed September 17, 1999. J. Cherryhomes, President of Council.
Approved September 23, 1999. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends approval of the new classification title of Manager, Safety Programs, with a salary range of \$1,716 to \$2,383 biweekly, to be effective September 20, 1999.

Your Committee further recommends passage of the accompanying amendment to the Salary Ordinance, setting the salary for said position, based on studies conducted by the Department of Human Resources.

Your Committee further recommends summary publication of said ordinance.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 99-Or-101, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, setting the salary for the position of Manager, Safety Programs, was passed September 17, 1999 by the City Council and approved September 23, 1999 by the Mayor. A complete copy of this ordinance is available for public inspection in the Office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 99-Or-101
By Campbell

1st & 2nd Readings: 9/17/99

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.

The City Council of the City of Minneapolis do ordain as follows:

Section 1: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Bi-Weekly Rates)

Non-Represented (CNR)

Effective: September 20, 1999

FLSA	OTC	CLASSIFICATION	PTS	G	P	1st STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP	7th STEP
E	1	Manager, Safety Programs	455	10	B	1716	1849	1942	2048	2153	2263	2382

Section 2: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Bi-Weekly Rates)

Non-Represented (CNR)

Effective: January 1, 2000

Schedule a:

FLSA	OTC	CLASSIFICATION	PTS	G	P	1st STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP	7th STEP
E	1	Manager, Safety Programs	455	10	B	1759	1895	1991	2099	2207	2320	2442

Schedule b*:

FLSA	OTC	CLASSIFICATION	PTS	G	P	1st STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP	7th STEP
E	1	Manager, Safety Programs	455	10	B	1767	1904	2000	2109	2218	2331	2453

*Schedule (b), above, shall be in effect should the City's General Fund revenue increase more than 3% for the year 2000 over the 1999 General Fund revenue.

Adopted. Yeas, 10; Nays none.

Absent - Niland, Biernat, Herron.

Passed September 17, 1999. J. Cherryhomes, President of Council.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends approval to proceed with reactivation of the classification title of Deputy Director, Planning.

Your Committee further recommends passage of the accompanying amendment to the Salary Ordinance, setting the annual salary range of \$79,573 to \$87,950 for said position, based on studies conducted by the Department of Human Resources, to be effective September 20, 1999.

Your Committee further recommends summary publication of said ordinance.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 99-Or-102, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, setting the salary for the position of Deputy Director, Planning, was passed September 17, 1999 by the City Council and approved September 23, 1999 by the Mayor. A complete copy of this ordinance is available for public inspection in the Office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

**ORDINANCE 99-Or-102
By Campbell**

1st & 2nd Readings: 9/17/99

**Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to
Administration: Personnel.**

The City Council of the City of Minneapolis do ordain as follows:

Section 1: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Annual Rates)

**Appointed Officials (CAP)
Effective: September 20, 1999**

FLSA	OTC	CLASSIFICATION	PTS	G	P	Start	After 1 Year	After 3 Years	After 6 Years
E	1	Deputy Director, Planning	655	14	A	\$79,573	83,761	86,274	87,950

Section 2: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes:(Annual Rates)

**Appointed Officials (CAP)
Effective: January 1, 2000**

Schedule a:

FLSA	OTC	CLASSIFICATION	PTS	G	P	Start	After 1 Year	After 3 Years	After 6 Years
E	1	Deputy Director, Planning	655	14	A	\$81,563	85,856	88,431	90,148

Schedule b*:

FLSA	OTC	CLASSIFICATION	PTS	G	P	Start	After 1 Year	After 3 Years	After 6 Years
E	1	Deputy Director, Planning	655	14	A	\$81,961	86,274	88,863	90,588

*Schedule (b), above, shall be in effect should the City's General Fund revenue increase more than 3% for the year 2000 over the 1999 General Fund revenue.

Adopted. Yeas, 10; Nays none.

Absent - Niland, Biernat, Herron.

Passed September 17, 1999. J. Cherryhomes, President of Council.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends passage of the accompanying amendment to the Salary Ordinance, setting the salary for the position of General Foreman, Electrician, based on studies conducted by the Department of Human Resources, to be retroactively effective on May 1, 1999.

Your Committee further recommends summary publication of said Ordinance.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 99-Or-103, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, setting the salary for the position of General Foreman, Electrician, was passed September 17, 1999 by the City Council and approved September 23, 1999 by the Mayor. A complete copy of this ordinance is available for public inspection in the Office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 99-Or-103

By Campbell

1st & 2nd Readings: 9/17/99

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.

The City Council of the City of Minneapolis do ordain as follows:

Section 1: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Hourly Rates)

Minneapolis City Supervisor's Association (CSU)

Effective: May 1, 1999

FLSA	OTC	CLASSIFICATION	P	1st STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP
N	3	General Foreman, Electrician	H	\$30.23	\$30.42	\$30.55	\$30.62	\$30.72	\$31.53

Adopted. Yeas, 10; Nays none.

Absent - Niland, Biernat, Herron.

Passed September 17, 1999. J. Cherryhomes, President of Council.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends amending Ordinance #99-Or-090 relating to the salary schedule for members of the Minneapolis Building and Construction Trades, passed by Council action of July 30, 1999, to provide for the \$1.70 per hour premium in the salary line for Group II (Temporary) Foreman, Bricklayer.

Your Committee further recommends passage of the accompanying amendments to the Salary Ordinance providing for said per hour premium, to correctly reflect the results of the collective bargaining process.

Your Committee further recommends summary publication of said Salary Ordinance.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 99-Or-104, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, amending Ordinance #99-Or-090 relating to the salary schedule for members of the Minneapolis Building and Construction Trades, passed by Council action of July 30, 1999, to provide for the \$1.70 per hour premium in the salary line for Group II (Temporary) Foreman, Bricklayer, was passed September 17, 1999 by the City Council and approved September 23, 1999 by the Mayor. A complete copy of this ordinance is available for public inspection in the Office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 99-Or-104
By Campbell

1st & 2nd Readings: 9/17/99

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.

The City Council of the City of Minneapolis do ordain as follows:

20.10.01 Council Jurisdiction.

The compensation of the listed classifications under City Council jurisdiction shall be provided in this Chapter.

The rates of pay herein provided shall be effective May 1, 1999, except as hereinafter provided, and shall apply to all persons in the employ of the City on or after the enumerated effective date, including those who have since such date retired or have been laid off through no fault or delinquency of such employee, but shall not apply to any employee heretofore separated from the service by voluntary resignation or through fault or delinquency on the part of such employee.

Section 1. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes effective May 1, 1999:

CBT - Effective May 1, 1999
Group II (Temporary):

OTC	CODE	CLASSIFICATION	P	HOURLY RATE	TAXABLE VACATION	NON- TAXABLE FRINGE BENEFIT	OVER- TIME RATE
2	C91110	Foreman, Bricklayer	H	24.30	2.06	7.54	36.45

Adopted. Yeas, 10; Nays none.

Absent - Niland, Biernat, Herron.

Passed September 17, 1999. J. Cherryhomes, President of Council.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends amending Ordinance #99-Or-091 relating to the salary schedule for members of the Electricians Union, Local 292, passed by Council action of July 30, 1999, to change salary lines for the Electrician (Apprentice) position.

Your Committee further recommends passage of the accompanying amendments to the Salary Ordinance to correctly reflect the results of the collective bargaining process.

Your Committee further recommends summary publication of said Salary Ordinance.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 99-Or-105, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, amending Ordinance #99-Or-091 relating to the salary schedule for members of the Electricians Union, Local 292, passed by Council action of July 30, 1999, amending salary lines for the Electrician (Apprentice) position, was passed September 17, 1999 by the City Council and approved September 23, 1999 by the Mayor. A complete copy of this ordinance is available for public inspection in the Office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 99-Or-105
By Campbell

1st & 2nd Readings: 9/17/99

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.

The City Council of the City of Minneapolis do ordain as follows:

20.10.01 Council Jurisdiction.

The compensation of the listed classifications under City Council jurisdiction shall be provided in this Chapter.

The rates of pay herein provided shall be effective May 1, 1999, except as hereinafter provided, and shall apply to all persons in the employ of the City on or after the enumerated effective date, including those who have since such date retired or have been laid off through no fault or delinquency of such employee, but shall not apply to any employee heretofore separated from the service by voluntary resignation or through fault or delinquency on the part of such employee.

Section 1. That the following classifications in Section 20.10.01 of the above entitled ordinance be amended to make the following changes effective May 1, 1999:

ELECTRICIANS (CEL) Effective May 1, 1999

Group II (temporary) APPRENTICE RATES:

Indentured prior to May 3, 1997				P	Hourly Rate	Taxable Vacation	Non-tax. Fringe Benefit
N	2	C91800	Electrician (Apprentice)				
			6th Period	H	20.96	2.72	6.06
			Overtime rates: 6th Period	H	31.44	4.08	9.09

Indentured on or after May 3, 1997

	1st Period	H	10.48	0.00	0.73
	2nd Period	H	11.79	0.00	0.83
	3rd Period	H	13.10	1.70	3.79
	4th Period	H	14.41	1.87	4.17
	5th Period	H	15.72	2.04	4.55
	6th Period	H	17.03	2.21	4.93
	7th Period	H	18.34	2.38	5.30
	8th Period	H	19.91	2.59	5.76
	9th Period	H	21.75	2.83	6.29
	10th Period	H	23.84	3.10	6.90
Overtime rates:	1st Period	H	15.72	0.00	1.10
	2nd Period	H	17.69	0.00	1.25
	3rd Period	H	19.65	2.55	5.69
	4th Period	H	21.62	2.81	6.26
	5th Period	H	23.58	3.06	6.83
	6th Period	H	25.55	3.32	7.40
	7th Period	H	27.51	3.57	7.95
	8th Period	H	29.87	3.89	8.64
	9th Period	H	32.63	4.25	9.44
	10th Period	H	35.76	4.65	10.35

Adopted. Yeas, 10; Nays none.

Absent - Niland, Biernat, Herron.

Passed September 17, 1999. J. Cherryhomes, President of Council.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee, having previously established Master Contracts for pre-approved Information and Technology Services (ITS) vendors, now recommends that the proper City officers be authorized to execute the following amendments to current Master Contracts, payable from the Strategic Information Systems Planning (SISP) Agency in the Permanent Improvement Projects Fund (4100-972) and from the ITS Agency in the Intergovernmental Service Fund (6400-880):

a) Amendment #2 to Contract #13185 with CSC Consulting, Inc., increasing said contract by \$2,000,000, for a new contract total of \$4,000,000.

b) Amendment #3 to Contract #13122 with Keane, Inc., increasing said contract by \$3,000,000, for a new contract total of \$7,000,000; and

c) Amendment #2 to Contract #12319 with Management System Solutions, Inc., increasing said contract by \$800,000, for a new contract total of \$4,000,000.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee, having received notification that Geographic Information System (GIS) 2000, Phase I, has been completed, now recommends approval to release the balance of 1999 Strategic Information System Planning (SISP) funds allocated for the GIS 2000 Program, Phase II (Enterprise Deployment) and to expend \$1,000,000 for said GIS 2000 Program, payable from the SISP Agency in the Permanent Improvement Projects Fund (4100-972-A600).

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to submit a grant application to the Minnesota Office of Drug Policy and Violence Prevention, seeking funding for the purchase of equipment to improve efficiency in the DrugFire/National Integrated Ballistics Identification Network System of the Police Identification Unit, in the amount of \$27,000.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **ZONING & PLANNING** Committee submitted the following reports:

Z&P - Your Committee, having under consideration the petition of Roger Benson (Vac #1264) to vacate the stub alley in the block bounded by 48th and 49th Avenues North, 6th Street N and Mississippi Drive to allow new driveway for new garage at 4840 6th St N, now concurs in the recommendation of the Planning Commission to adopt the findings set forth in Petn No 265196 and to grant said vacation.

Your Committee further recommends passage of the accompanying resolution vacating said stub alley.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 99R-333
By McDonald**

Vacating the alley in the block bounded by 48th and 49th Avenues North, 6th Street North and Mississippi Drive (Vac #1264).

Resolved by The City Council of The City of Minneapolis:

That all that part of the alley adjacent to Lot 14, Block 1 of Archambault's Addition and adjacent to Lots 15-17, Block 1 of Chatauqua Addition, said alley bounded by 48th and 49th Avenues North, 6th Street North and Mississippi Drive, is hereby vacated.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999. J. Cherryhomes, President of Council.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P - Your Committee, having under consideration the petition of Ryan Companies US, Inc (Vac #1283) to vacate the easements as reserved in vacated right-of-way of Arthur St NE to clear title for the existing Quarry development, now concurs in the recommendation of the Planning Commission to adopt the findings set forth in Petn No 265196 and to grant said vacation.

Your Committee further recommends passage of the accompanying resolution vacating said easements.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 99R-334
By McDonald**

Vacating the easements as reserved in vacated right-of-way of Arthur Street Northeast (Vac #1283).

Resolved by The City Council of The City of Minneapolis:

That all that part of the easements reserved in vacated right-of-way of Arthur Street Northeast (Vacation File No. 1187), as recorded in Document No. 6666811, lying South of the South right-of-way line of 18th Avenue Northeast, in Lot 1, Block 1 of Southeast Minneapolis Industrial Park Addition (replatted as The Quarry) and the easterly 4 feet of a sewer easement across part of Lot 2, Block 1 of the Quarry Addition, as recorded in Document No. 6680609 and North of a point being 430.16 feet South of the South right-of-way line of 18th Avenue Northeast on the centerline of vacated Arthur Street Northeast, are hereby vacated.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999. J. Cherryhomes, President of Council.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P - Your Committee, having under consideration the petition of Robert Marshall on behalf of Lowry Ridge Townhomes LLP (Vac #1287) to vacate a portion of a ten foot drainage and utility easement in Lots 5 and 6, Block 1 of Lowry Ridge Townhomes Addition to permit five townhomes in the vicinity of 223-231 Groveland Av to be built closer to the sidewalk, now concurs in the recommendation of the Planning Commission to adopt the findings set forth in Petn No 265196 and to grant said vacation.

Your Committee further recommends passage of the accompanying resolution vacating said easement.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 99R-335

By McDonald

Vacating a portion of a ten foot drainage and utility easement in Lots 5 and 6, Block 1 of Lowry Ridge Townhomes Addition (Vac #1287).

Resolved by The City Council of The City of Minneapolis:

That all that part of the ten foot drainage and utility easement in Lots 5 & 6, Block 1, Lowry Ridge Townhomes Addition, according to the recorded plat thereof, Hennepin County, Minnesota; and described as follows: vacating the Southerly 4.5 feet of said ten foot easement running parallel with the South right-of-way line of Groveland Avenue beginning at the Easterly lot line of Lot 5, Block 1 of said addition, thence Westerly and terminating 5 feet East of the Westerly lot line of Lot 6, Block 1 of said addition, is hereby vacated.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999. J. Cherryhomes, President of Council.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P - Your Committee concurs in the recommendation of the Planning Commission to approve the application of Affinity Plus Federal Credit Union (P-1066) to rezone the property at 2516-2520 University Av SE from the B3-2 to the B3S-1 District to permit a credit union with drive-through facility and office space and to adopt the related findings set forth in Petn No 265196. (63987)

Your Committee further recommends passage of the accompanying amendment to the Zoning Ordinance.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

ORDINANCE 99-Or-106

By McDonald

1st & 2nd Readings: 9/17/99

Amending Title 20, Chapter 536 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 536.20 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

A. That part of Block 24, Regent's Addition to Minneapolis, Hennepin County, Minnesota, described as follows: Commencing at a point in the Southwesterly line of said Block, distant 230 feet Southeasterly of the most Westerly corner thereof; thence Northeasterly parallel with the Southeasterly line of said Block a distance of 150 feet to the actual Point of Beginning of the tract of land to be described; thence Northwesterly parallel with the Southwesterly line of said Block a distance of 100 feet; thence Northeasterly parallel with the Northwesterly line of said Block to the Northeasterly line of said block; thence Southeasterly along the Northeasterly line of said block to the most Easterly corner thereof; thence Southwesterly along the Southeasterly line of said block to a point therein distant 150 feet

Northeasterly of the most Southerly corner thereof; thence Northwesterly parallel with the Southwesterly line of said block to the actual Point of Beginning (2516-2520 University Av SE - Plate 22) to the B3S-1 District.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999. J. Cherryhomes, President of Council.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P - Your Committee, having under consideration the application of CSM Hospitality, Inc (P-1063) to rezone the property at 501 N 2nd St from the M2-4 to the B3-3 District to permit a planned business development, including a 131-room extended stay hotel, a 40-unit apartment building and 208 parking stalls on 2.45 acres, now concurs in the recommendation of the Planning Commission to approve the application and to adopt the related findings set forth in Petn No 265196. (63986)

Your Committee further recommends passage of the accompanying amendment to the Zoning Ordinance.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

ORDINANCE 99-Or-107

By McDonald

1st & 2nd Readings: 9/17/99

Amending Title 20, Chapter 536 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 536.20 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

A. That part of Lot 6-8 inc., and the SEly 44' of Lot 9 in Blk 30 and Lots 6-10, incl in Blk 31, Town of Mpls, and that portion of vacated 6th Ave. N. lying adjacent to and between Lot 6 of said

Block 30 and Lot 10 of said Block 31, Henn Cty, MN; Also, Lot 3 Blk 1, Canadian Pacific Railway 2nd Addition (501 2nd St N - Plate 13) to the B3-3 District.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999. J. Cherryhomes, President of Council.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P - Your Committee, having under consideration the appeal of Overcomers Ministries from the decision of the Board of Adjustment denying its application for a nonconforming use certificate to permit a 9-unit apartment building at 1911 - 11th Av S (O-499), and having conducted a public hearing thereon, now recommends that said nonconforming use certificate be granted notwithstanding the decision of the Board of Adjustment, and in accordance with the Findings of Fact prepared by the City Attorney's Office and on file in the Office of the City Clerk and made a part of this report by reference. (Petr No 265195)

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P - Your Committee recommends that Lonnie J Nichols, 2907 35th Av S (Ward 9); and David Fields, 719 E 16th St (Ward 7), be appointed to the Zoning Board of Adjustment, each for a term to expire December 31, 2001. (Petr No 265196)

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P - Your Committee recommends granting the following applications for special permits, notwithstanding the Zoning Code:

a. Marc Rood: Application to place an inflatable Goldy Gopher on the Metrodome Plaza, 800 S 6th St, before Gopher home football games, and an inflatable on the Plaza which will have associated interactive games, from September 4 to November 14, 1999. (1999-124)

b. Topline Advertising, Inc: Application to install a 7 ft x 14 ft, illuminated pylon sign and a 5 ft x 10 ft flat wall sign mounted on front of building, for Rodeway Inn at 925 SE 4th St. (1999-122)

c. Attracta Sign: Application to erect a 60 inch x 73 inch freestanding identification sign that will project over the right-of-way, for Boulevard Gardens at 3100 Excelsior Blvd. (1999-121)

d. Intelligent Nutrients, Inc: Application to change copy on a business sign located behind the parking lot at 326 Central Av SE to promote on-premise products or services. The copy may be changed seasonally to promote other on-premise products or services but the applicant will not expand the use of the sign. (1999-135)

e. Jennifer Rushlau: Application to display a promotional banner at 600 Nicollet Mall, which will state "Office Depot Grand Opening" in red letters on white background, from September 20 to October 4, 1999. (1999-133)

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P - Your Committee, having under consideration the application of Alan Peters for a special permit to relocate Hearing and Service Dogs of Minnesota (The Companion Dog Connection, Inc) to 2535-37 25th Av S, currently zoned M1-1; and for the issuance of a Conditional Use Permit for this site upon adoption of the proposed new Zoning Code, under which it is anticipated that the use for the dogs will be an allowable conditional use (#1999-123), now recommends granting the application, notwithstanding the Zoning Code, upon the following conditions:

1. The Special Council Permit and Conditional Use Permit are restricted to The Companion Dog Connection (dba Hearing and Service Dogs of Minnesota) at 2535-37 25th Av S.

2. There shall be a limit of 12 dogs at any one time at this location.

3. Dogs outside of the building will be supervised at all times. Feces will be collected immediately.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P - Your Committee, having under consideration the City's conditional use permit process as set forth in Ordinance 98-Or-032, now recommends that staff be directed to initiate a process to remove the Minneapolis Park and Recreation Board from the requirements of that ordinance.

Your Committee further recommends that the requirement for conditional use permits be waived for the following Park Board projects: Central Park, Loring Art Center, North Mississippi Park, Nokomis, Mill Ruins Park and Bridge Park. (Petr No 265197)

Goodman moved that the report be amended in the second paragraph by inserting the words "Kenilworth/Lagoon Project," after the word "Nokomis,". Seconded.

Adopted upon a voice vote.

The report, as amended was adopted.

Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 17, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published September 21, 1999)

MOTIONS

Campbell, Chair of the Ways & Means/Budget Committee, moved that the regular payrolls for all City employees under City Council jurisdiction for the month of October 1999 be approved and ordered paid subject to audit by the Finance Officer. Seconded.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Mead moved to waive the 14-day block event filing time as required by Chapter 455 of the Minneapolis Code of Ordinances for applicant Our Lady of Peace School for a residential block event to be held September 14, 1999, between

the hours of 11 a.m. and 1 p.m. on E. 54th St. between 11th and 12th Avenues South, having approval granted by the Public Works Department to grant said waiver.

Adopted. Yeas, 10; Nays none.

Absent - Biernat, Niland, Herron.

Passed September 17, 1999.

Approved September 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

UNFINISHED BUSINESS

Septan Inc, 3948 Nicollet Av: Deny appeal for nonconforming use certificate to allow gas station and repair garage, grant appeal for variance. (Postponed 10/30/98, Z&P)

McDonald moved to continue postponement. Seconded.

Adopted upon a voice vote.

NEW BUSINESS

Mead offered an Ordinance amending Title 3 of the Minneapolis Code of Ordinances relating to *Air Pollution and Environmental Protection*, by adding a new Chapter 54 relating to *Minneapolis Storm Water Management*, which was given its first reading and referred to the Transportation & Public Works Committee.

Campbell offered an Ordinance amending Title 2, Chapter 16 of the Minneapolis Code of Ordinances relating to *Administration: Finance*, which was given its first reading and referred to the Ways & Means/Budget Committee (To meet State requirements enacted to create consistency in exemptions and application of local sales tax).

Campbell offered an Ordinance amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, which was given its first reading and referred to the Ways & Means/Budget Committee (Extending health/dental insurance continuation for laid off employees to year 2002).

Ostrow offered an Ordinance amending Title 4 of the Minneapolis Code of Ordinances relating to *Animals and Fowl*, adding a new Chapter 71 entitled *Other Animals*, which was given its first reading and referred to the Public Safety &

Regulatory Services Committee for a public hearing to be held at 1:00 p.m. on September 22, 1999.

Campbell moved that when this Council adjourns, it adjourns to Friday, September 24, 1999, at 9:30 a.m. and that such meeting be and is hereby declared to be an adjourned session of the regular meeting of September 17, 1999, to consider the Preliminary Design of Light Rail Transit. Seconded.

Adopted upon a voice vote.

Adjourned.

MERRY KEEFE,
City Clerk.